

UNITED STATES DISTRICT COURT FOR THE MIDDLE  
DISTRICT OF FLORIDA TAMPA DIVISION  
CASE NO.: 8:09-CV-2493-SDM-TGW

STEVE AARON, et al.,

Plaintiff(s),

vs.

THE TRUMP ORGANIZATION, INC., a  
New York Corporation, and DONALD J.  
TRUMP, an individual,

Defendant(s).

-----/

DEPOSITION OF:  
John Robbins

TAKEN BY: Attorney for Defendants

DATE: Friday, October 8, 2010

TIME: Commencing at 10:00-4:00 p.m.

PLACE: Bajo, Cuva, Cohen, and Turkel, P.A.  
100 North Tampa Street  
Suite 1900  
Tampa, Florida 33602

Examination of the witness taken before:

Sarah J. Murrow  
Clearwater, Florida 33762

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20	
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1 THEREUPON,

2 John Robbins

3 was adduced as the deponent herein, and being first

4 duly sworn upon oath, was questioned and testified as

5 follows:

6 THE DEPONENT: I do.

7 DIRECT EXAMINATION

8 BY MS. VALIENTE:

9 Q. Mr. Robbins, we have previously introduced

10 ourselves, but I wanted to thank you for being here

11 today. First, have you ever had your deposition taken

12 before?

13 A. No.

14 Q. I'm sure you have gone over this with your

15 attorney, but I just wanted to go over some of the

16 ground rules. As you probably know, I'm going to be

17 asking you questions about your case, and it's really

18 important that if there is anything about my question

19 that you don't understand or that's unclear, please let

20 me know and I will rephrase the question and -- because

21 I want to make sure that you understand what I'm asking

22 you and that we're getting as accurate answers as we

23 can.

24 A. Yes.

25 Q. Also, because we have got the court reporter

1 here and she is taking down everything we are saying,  
2 it is really important you verbalize your answers. For  
3 example, say yes or no instead of uh-huh or uh-uh so  
4 she can get it down.

5 A. Yes.

6 Q. And then very, very important as we go on,  
7 I'm sure you will be anticipating my question and you  
8 will probably realize where I'm going, but also just  
9 for the court reporter's benefit so she can take  
10 everything down, just please wait until I finish my  
11 question before you give your answer. Then if at any  
12 time you need to take a break, we can do so. Just let  
13 me know. The only thing I would ask is if we are in  
14 the middle of a question, I will just ask that you  
15 finish your answer.

16 Do you have any questions before we start?

17 A. No, I do not.

18 Q. Okay. Great. Do you have any type of  
19 medical condition or are you taking any type of  
20 medication that would make it impossible for you to  
21 understand my questions or answer them accurately?

22 A. No, I do not.

23 Q. Okay. First, I want to ask you about -- I  
24 know that we have -- I believe it was yesterday or the  
25 day before that we got some documents from your

1 BY MS. VALIENTE:

2 Q. Other than Mr. Trump's deposition, what other  
3 deposition transcripts do you have?

4 A. The Carussos, which I don't know personally,  
5 but I think Jill Carusso and -- I'm not sure, but I  
6 think it's Art Carusso.

7 Q. Okay. And you said you never met them  
8 personally?

9 A. No, I have not.

10 Q. Have you talked to them on the phone?

11 A. No, I have not.

12 Q. Did you read those transcripts of Mr. and  
13 Mrs. Carusso and Mr. Trump's transcripts?

14 A. Yes, I did.

15 Q. Now, do you -- are there any other unit  
16 purchasers -- and by unit purchasers, anybody that  
17 signed a purchase agreement for a unit in the project.  
18 Do you know any other -- have you ever met any other  
19 unit purchaser personally?

20 A. One.

21 Q. Which one is that?

22 A. I need to clarify this because she is also an  
23 attorney and has provided some information to my wife  
24 and I, so --

25 MR. CLARK: You can tell her the name.

1 attorney that were responsive to some document requests  
2 that we had served in the case.

3 Did you provide those documents to your  
4 attorney, those documents that you had in your  
5 possession?

6 A. Documents that I had in my possession, yes, I  
7 furnished them to Dan.

8 Q. Now, other than the documents that you  
9 furnished to your attorney -- well, first of all, did  
10 you give him originals or did you give him copies of  
11 what you had?

12 A. I gave him the originals.

13 Q. So you no longer have any originals in your  
14 possession?

15 A. No, I don't.

16 Q. Other than the documents you gave to your  
17 attorney, do you currently have in your possession  
18 any document relating to the Trump Tower Tampa  
19 project?

20 MR. CLARK: Objection to form. You can  
21 answer.

22 A. I have copies of depositions that were taken  
23 and they were furnished by my counsel, and I also have  
24 a copy of Mr. Trump's deposition that was furnished to  
25 me.

1 That's fine.

2 A. Her name is Catherine Gouze. She lives in  
3 the building we currently live in also, and she's a  
4 personal friend and a work friend of my wife.

5 BY MS. VALIENTE:

6 Q. So you also know her personally?

7 A. Yes.

8 Q. Then other than -- how do you pronounce her  
9 last name again?

10 A. Gouze, G-o-u-z-e.

11 Q. Other than Ms. Gouze, have you met any other  
12 unit purchasers personally?

13 A. No, I have not.

14 Q. Have you spoken to any of them on the phone?

15 A. No, I have not.

16 Q. Okay. So just to be clear, other than the  
17 deposition transcripts and the documents that you gave  
18 to your attorney, you have no other documents that in  
19 any way relate to the Trump Tower Tampa? Other than  
20 documents that may have been given to you by your  
21 attorney. Just documents that you kept on your own.

22 A. No, I do not.

23 Q. Okay. The documents that you provided to  
24 your attorney, before you provided them to your  
25 attorney, how did you keep them at home?

1 A. I was living in Connecticut. My wife and I  
2 had a home in Connecticut. Then after a certain point  
3 in time, we sold the home in Connecticut and I rented  
4 an apartment. And we also -- my wife traveled for her  
5 work, so sometimes she was down here and sometimes she  
6 was in Connecticut. But I kept the documents in a home  
7 office, either at the residence that we owned or the  
8 apartment that we have rented.

9 Then beyond that, I also was making a binder,  
10 a very detailed binder, and I kept everything -- I  
11 tried to keep it in realtime, and that included  
12 newspaper articles. When I came down here for the  
13 Trump activities in February, I took photographs, and  
14 photographs were in there.

15 Then just some personal things that pertained  
16 to me as a military retiree that pertained to the area.  
17 For instance, MacDill Air Force Base. My father was  
18 there during World War II, and it's certainly available  
19 to my wife and I. We go there quite frequently. And  
20 other articles about people that had gotten part-time  
21 jobs in sports because I was working in a part-time job  
22 in sports at that the time.

23 Q. So were all of the -- were all of the Trump  
24 Tower Tampa materials -- they were all kept together?

25 A. Yes. Now, not everything was kept in that

1 there full time at that time, and I was finishing my  
2 work in Connecticut at the Department of Corrections.  
3 So I had been living there full time since  
4 August of '09.

5 Q. Going back to the -- we were talking about  
6 the documents real quick. The documents you collected  
7 and provided to your attorneys. Between you and your  
8 wife, was there -- was one of you the person primarily  
9 responsible for collecting those documents?

10 A. Yes. I was.

11 Q. Did your wife have any involvement in  
12 collecting those documents?

13 A. When she was here and I was in Connecticut,  
14 she would save hard copies of newspapers for me; so  
15 that when I get here, I would have a collection of  
16 newspapers to look through. But also in Connecticut on  
17 a daily basis I read the Tampa Tribune and the St. Pete  
18 Times.

19 Q. Was it your practice to save any article that  
20 you read that talked about the project?

21 A. I tried to, yes. I don't know that I  
22 captured all of them, but that was my goal.

23 Q. Okay. Where did you live prior to the 345  
24 address?

25 A. Our home was located in Durham, Connecticut,

1 binder because some things were very big and  
2 cumbersome, but everything was kept together, yes.

3 Q. So whatever was not in the binder, those  
4 documents were also kept along with the binder in the  
5 same place?

6 A. Yes.

7 Q. And those were -- you said they were kept in  
8 your home office; whether it was in Connecticut and  
9 then later when you moved to Tampa, they were always  
10 kept in a home office?

11 A. Yes.

12 Q. Can you spell your full name?

13 A. First name is John, J-o-h-n, middle initial  
14 is L, last name is Robbins, R-o-b-b-i-n-s.

15 Q. And what is your current address?

16 A. 345 Bayshore Boulevard, Tampa, Florida 33606.

17 Q. Is that a home or a condo?

18 A. Condo. I can see it right here over my  
19 shoulder.

20 Q. But it's the 345 -- the tower building on  
21 Bayshore Boulevard?

22 A. Yes.

23 Q. How long have you lived there?

24 A. We purchased the unit in -- I believe it was  
25 August or September of '08, and my wife began living

1 which is central Connecticut between Hartford and New  
2 Haven. The apartment that I lived in was located in  
3 East Hartford, Connecticut.

4 Q. And how long you were at the apartment?

5 A. January of '08 until I came down here, which  
6 would have been August of '09.

7 Q. And how long were you in the home in  
8 Connecticut?

9 A. I believe we purchased -- I think I purchased  
10 the home in 1992, and we sold it in December of '07.

11 Q. Where did you live before the home that you  
12 moved to in 1992?

13 A. I lived in another home in Durham,  
14 Connecticut. I'm trying to remember the name of the  
15 road. It's just not coming to me right now, but it was  
16 in Durham, Connecticut. It was probably two or three  
17 miles from the second home that we bought.

18 Q. Was it also a house or condominium?

19 A. It was a house.

20 Q. Okay. How long were you in that house -- the  
21 one before the 1992 house?

22 A. I'm going to say 12 years. That's my best  
23 estimate.

24 Q. How about before that house?

25 A. I rented a home in Connecticut -- in Madison,

1 Connecticut.  
 2 Q. For how long?  
 3 A. Less than three years.  
 4 Q. So around what time period are we talking  
 5 about for the Madison house?  
 6 A. Maybe 1975 or '76. I'm really kind of foggy  
 7 on that. It's just not something in my memory bank.  
 8 Q. Sure. How long have you lived -- how long  
 9 did you live in Connecticut in all?  
 10 A. When I started renting that house in Madison.  
 11 Q. Okay. Where were you before Connecticut?  
 12 A. I lived in Rhode Island -- Port Smith, Rhode  
 13 Island.  
 14 Q. Where were you born?  
 15 A. Millville, New Jersey.  
 16 Q. Are you currently employed?  
 17 A. I am retired.  
 18 Q. From the military?  
 19 A. From the Army and from the Connecticut  
 20 Department of Corrections.  
 21 Q. Are you at all self-employed? Do you  
 22 currently have a --  
 23 A. No, I do not.  
 24 Q. Do you currently hold any type of  
 25 professional license?

1 A. I do not.  
 2 Q. Have you ever held any type of professional  
 3 license?  
 4 A. No, I did not.  
 5 Q. And you completed high school, correct?  
 6 A. Yes.  
 7 Q. Did you attend college?  
 8 A. Yes, I did.  
 9 Q. Where?  
 10 A. I attended Pennsylvania Military College,  
 11 which today is now known as Widener University.  
 12 Q. Did you graduate from there?  
 13 A. Yes, I did.  
 14 Q. What year did you graduated?  
 15 A. I graduated in 1970.  
 16 Q. Any type of advanced degree beyond college?  
 17 A. No. I attended various schools in the  
 18 military, and I took classes at various colleges, but  
 19 not to the extent of getting an advanced degree, no.  
 20 Q. And you are currently married, correct?  
 21 A. Yes.  
 22 Q. What is your wife's name?  
 23 A. Her name is Roseanna and the last name is  
 24 Gramuglia, G-r-a-m-u-g-l-i-a.  
 25 Q. Now, I have seen your wife's last name stated

1 at Schanne.  
 2 A. Schanne.  
 3 Q. Does she also use that name as well?  
 4 A. No -- well, she was married and divorced, and  
 5 that was a married name. After she divorced, she went  
 6 back to her maiden name, and she still maintains that  
 7 name today even though we're married.  
 8 Q. But you are legally married?  
 9 A. Correct.  
 10 Q. Gramuglia is her maiden name, correct?  
 11 A. Right. But the best way to pronounce it is  
 12 Gramuglia, but if you do it phonetically, it's  
 13 Gramuglia. I had trouble with that when I first met  
 14 her.  
 15 Q. I apologize, but I'm going to have trouble  
 16 with that one.  
 17 Have you ever -- I want to talk to you  
 18 about -- if I call something a nonpublic company, what  
 19 I'm referring to is a company that's not publicly  
 20 traded on a stock exchange. Have you ever held any  
 21 type of interest, been an officer, director, or a  
 22 member of a nonpublic entity?  
 23 A. No. I have not.  
 24 Q. By that I mean -- for example, I mean some  
 25 people will purchase property and put it in the name of

1 a company that they create themselves. I would include  
 2 that as well.  
 3 A. Correct. That's not the case.  
 4 Q. You have never done that?  
 5 A. Correct.  
 6 Q. Okay. How about your wife? To your  
 7 knowledge, has she ever held any type of interest in or  
 8 been an officer, director, or a member of a nonpublic  
 9 company?  
 10 A. No.  
 11 Q. Before this litigation that we are here about  
 12 today, have you ever been a party to any other type of  
 13 lawsuit either as a plaintiff or a defendant?  
 14 A. I had a question about this the other day  
 15 with Dan and --  
 16 MR. TURKEL: You don't want to talk about  
 17 things that you talked about with me and Dan.  
 18 Those are attorney-client privilege. You can just  
 19 answer her question.  
 20 BY MS. VALIENTE:  
 21 Q. Just to be clear, please don't -- anything  
 22 that your attorneys may have told you, I don't need to  
 23 hear about.  
 24 MR. TURKEL: Was it an auto suit or  
 25 something?

1 THE DEPONENT: A person fell on my property.  
2 MR. TURKEL: Yeah. He had something where he  
3 was a nominal defendant, but his insurance company  
4 handled it all. You can tell her about that.

5 THE DEPONENT: A person fell on my property  
6 and had an injury to her ankle, and I got a letter  
7 from an attorney, so I don't know if I was  
8 officially sued or whatnot. I gave the letter to  
9 my insurance company and they settled it and I  
10 haven't heard anything from it.

11 MR. TURKEL: The short version is that  
12 there's skepticism as part of the fact is he  
13 doesn't know if a lawsuit was actually filed or  
14 whether somebody just sent a demand letter to the  
15 adjuster.

16 BY MS. VALIENTE:

17 Q. But other than that incident, are you aware  
18 of any other lawsuit where you have been --

19 A. No, I have not.

20 Q. -- a plaintiff or a defendant?

21 A. No, I have not.

22 Q. Just remember to let me finish so that she  
23 can get it down.

24 How about your wife? To your knowledge, has  
25 your wife ever been a plaintiff or a defendant in a

1 BY MS. VALIENTE:

2 Q. So you said that you own the -- let me step  
3 back.

4 You said you own the condominium that you  
5 currently live in at the 345 address, correct?

6 A. Yes, we do.

7 Q. Do you and your wife own it jointly?

8 A. Yes, we do.

9 Q. How about -- other than that condominium, do  
10 you or your wife currently own any property?

11 A. My wife owns two properties.

12 Q. Where are those?

13 A. Both located in East Hartford, Connecticut.

14 Q. Does she own those properties in her name  
15 alone?

16 A. One property she owns in her name alone, and  
17 one property she owns in a, I guess, partner-type with  
18 her brother.

19 Q. What type of properties are those?

20 A. The properties she owns in her own name is a  
21 duplex, and the building that she owns with her brother  
22 is a four-unit apartment building.

23 Q. The duplex, is she renting those out?

24 A. Correct.

25 Q. What are her day-to-day responsibilities with

1 lawsuit?

2 A. No, I don't believe.

3 MR. TURKEL: Other than probably her divorce  
4 proceedings.

5 THE DEPONENT: Other than that, yes.

6 BY MS. VALIENTE:

7 Q. How about -- there are also proceedings  
8 called arbitrations. That you know of, have you or  
9 your wife ever been a party to an arbitration  
10 proceeding?

11 A. No.

12 Q. Do you currently own the condo you live in at  
13 the 345 address?

14 A. Yes, I do.

15 (Discussion off the record.)

16 MR. TURKEL: Let her finish the question.  
17 It's not so much that your answers -- it's very  
18 easy to figure out what a question sounds like.  
19 It's more so a logistic issue as to how the  
20 transcript will read.

21 It will have her question and then like a  
22 dot, dot, dot and then your answer jumps in and  
23 then her question finishes. What eventually she  
24 will start to do is start re-asking the entire  
25 question, which will take a lot longer.

1 respect to the apartment building?

2 A. The apartment or the duplex?

3 Q. The apartment.

4 A. The four-bedroom apartment?

5 Q. Yeah. Just to be clear, you said she has got  
6 two properties. One is the duplex and one is the  
7 four-unit apartment building?

8 A. Yes.

9 Q. Let's start with the four-unit apartment  
10 building. What are her responsibilities with respect  
11 to the apartment building?

12 A. Pretty much none right now because of the  
13 fact that she is in Florida and her brother is in  
14 Connecticut, so he handles everything that needs to be  
15 handled for that building.

16 Q. So she relies on her brother to take care of  
17 the day-to-day responsibilities of that building?

18 A. Yes.

19 Q. You said a four-unit -- is it an entire  
20 building, the four-unit apartment building?

21 A. Yes, it is.

22 Q. How about the duplex, does she currently have  
23 any day-to-day responsibilities with respect to the  
24 duplex?

25 A. We have a property management company that

1 handles that for us. When I was in Connecticut, I was  
2 doing that.

3 Q. So other than the duplex and the apartment  
4 building, does your wife currently own any other  
5 properties?

6 A. No, she does not.

7 Q. Other than the property you have lived in as  
8 your home, have you ever owned any other type of  
9 property?

10 A. No, I have not.

11 Q. With respect to your wife, other than the  
12 duplex and the floor unit apartment building, has she  
13 owned any other property other than property that she  
14 has lived in as a home?

15 A. No, she has not.

16 Q. Besides the 345 building where you currently  
17 reside, have you ever owned a condominium unit?

18 A. Never. This is the first time.

19 Q. How about you wife, other than this  
20 condominium unit, the 345 unit, has she ever owned a  
21 condominium unit?

22 A. No.

23 Q. I think I asked you this and I apologize, but  
24 when did you and your wife move to Tampa?

25 A. Two different times. She preceded me. She

1 transaction under -- not under full disclosure as to  
2 exactly what was happening. Had I been given full  
3 information at that time, I wouldn't be sitting here  
4 today, and I wouldn't be a party to this lawsuit.

5 Q. Okay. I want to try and understand exactly  
6 what you mean by that. So I want to start with at the  
7 time that you signed your purchase agreement, what was  
8 your understanding of the project? What did you --  
9 what did you understand -- what did you understand  
10 about the Trump Tower Tampa project?

11 MR. TURKEL: Object to form. You can go  
12 ahead and answer.

13 A. My understanding at the time was Trump Tower  
14 Tampa was a Donald Trump project in conjunction with a  
15 local company called SimDag and that Mr. Trump was a  
16 partner in the project.

17 BY MS. VALIENTE:

18 Q. Okay. So I want to make sure I understand  
19 all of that. So let's -- I want to take the first  
20 piece of your statement. You said you understood that  
21 the project was a Donald Trump project. What do you  
22 mean by that?

23 A. The building itself was going to carry his  
24 name, and it was being advertised as a Donald Trump  
25 signature property and that Mr. Trump was a partner in

1 came here -- well, she came here quite frequently for  
2 her job. She worked out of the -- in Connecticut, but  
3 her company was located here. I would say she moved  
4 here full time when we purchased the condo. I came a  
5 year later after I finished my work in Connecticut and  
6 retired there.

7 Q. So she came in 2008 and you came in 2009?

8 A. Yes, that's correct.

9 Q. The duplex that your wife currently owns, was  
10 that originally purchased with the intent of renting it  
11 out?

12 A. No. It was originally purchased by her and  
13 her husband at the time and her -- one of her sisters  
14 and her husband, and she lived in one side and her  
15 sister lived in the other side.

16 Q. How about the apartment building, was that  
17 originally purchased with the intent of renting out the  
18 units to keep it as a rental property?

19 A. Yes.

20 Q. It wasn't purchased with the intent of trying  
21 to sell it or trying to flip it?

22 A. No.

23 Q. Mr. Robbins, why are you suing Mr. Trump and  
24 the Trump Organization?

25 A. I feel that we entered into this real estate

1 the project.

2 Q. When you say that he was a partner in the  
3 project, what did that mean to you?

4 A. It means that he was going to share in the  
5 expense of the building, but also share in profits from  
6 the building.

7 Q. But other than the word "partner," did  
8 anybody ever tell you that he was going to share in the  
9 expense of the project?

10 MR. TURKEL: Object to form.

11 A. No.

12 BY MS. VALIENTE:

13 Q. Do you remember reading that statement  
14 anywhere to the effect that he would share in the  
15 expense of the project?

16 A. No, I do not.

17 Q. So you assumed that fact from the word  
18 "partner"?

19 A. Yes.

20 Q. So -- and I want to make sure that I  
21 completely understand your position, and if there is  
22 anything incorrect about what I'm saying, please tell  
23 me. So is it accurate to say that your only  
24 expectation with respect to Mr. Trump's involvement  
25 when you signed the purchase agreement was that he was

1 going to share in the expenses and profits of the  
2 building?

3 MR. TURKEL: Object to form.

4 A. No. It goes beyond that.

5 BY MS. VALIENTE:

6 Q. Well, in what other -- in what other ways did  
7 you expect Mr. Trump to be involved in the project?

8 A. Well, we were told that, for instance,  
9 Mr. Trump was putting his stamp on the building because  
10 he already made changes to plans. He was making  
11 changes to the lobby. I recall changes to certain  
12 windows, I believe, and ceiling heights and various  
13 changes such as that. I can't remember all of them.

14 Q. So would it be fair to say that you expected  
15 that Mr. Trump would ensure that the building lived up  
16 to the Trump standard?

17 A. Yes, because it was carrying his name.

18 Q. So to summarize, what I understand is when  
19 you signed the purchase agreement you understood -- or  
20 strike that.

21 What I understood is when you signed the  
22 purchase agreement, your expectation with respect to  
23 Mr. Trump's involvement in the Trump Tower Tampa  
24 project was that he would share in the expenses and  
25 profits of the project and that he would ensure that

1 project?

2 A. No. I didn't feel that I had to. I heard in  
3 Mr. Trump's own words when he presented himself here  
4 in Tampa that he was a partner; that he was happy to be  
5 in Tampa; that he loved Tampa; that he loved George  
6 Steinbrenner; that he loved his partners, and that this  
7 was going to be the grandest building in Tampa and the  
8 largest building on the west coast of Florida.

9 Q. But you never asked anyone what Mr. Trump's  
10 responsibilities as a partner were, did you?

11 A. No. I didn't feel I had to ask that  
12 question.

13 Q. Okay. Did you seek any type of legal advice  
14 before you signed the purchase agreement?

15 A. Yes.

16 Q. And, again, I'm not asking you to divulge  
17 anything that was told to you by an attorney, but did  
18 the attorney review the purchase contract before you  
19 signed it?

20 A. Yes.

21 Q. Did the attorney review any of the  
22 condominium documents before you signed it?

23 A. Yes.

24 Q. Did she review the property report?

25 A. Yes.

1 the building lived up to the Trump standard; is that  
2 correct?

3 MR. TURKEL: Object to form.

4 A. That's correct.

5 BY MS. VALIENTE:

6 Q. Anything else?

7 A. No.

8 Q. Now, when you say that you expected or you  
9 understood that Mr. Trump was sharing in the expenses  
10 of the project, what exactly -- what specifically did  
11 you expect was Mr. Trump's responsibility with respect  
12 to the expenses?

13 A. I don't know specifics as far as the  
14 expenses, but I would think that if you are going to  
15 get a piece of the profit that you should have a piece  
16 of the responsibility also that would warrant being  
17 paid those profits.

18 Q. Why was that important to you that he share  
19 in the expenses?

20 A. It wasn't.

21 Q. Okay. Now, did you ever directly -- strike  
22 that.

23 Did you ever ask anyone involved with the  
24 project what Mr. Trump or the Trump Organization's  
25 responsibilities actually were with respect to the

1 Q. Did she review the prospectus?

2 A. Yes.

3 Q. I want to go back to the beginning of when  
4 you first heard about the project -- and just for the  
5 record so we are clear, when I say the word "project,"  
6 I mean the Trump Tower Tampa project.

7 A. Okay.

8 Q. How did you first learn about the project?

9 A. I found out from my wife, who was down here,  
10 and then she relayed the information to me.

11 Q. Do you know how your wife first learned about  
12 the project?

13 A. Yes. Through a friend who was a friend of a  
14 banker here. They were engaged in a conversation, and  
15 she happened to tell us that there was going to be a  
16 condominium built here in Florida, and it was going to  
17 be a high-end condominium and that it was going to be  
18 built by a prominent, let's say, player in the  
19 condominium market from New York City. But no one at  
20 that point was at liberty to mention the name, but it  
21 was pretty easy to figure out, you know, from  
22 everything that was said who it was going to be. So  
23 from that, my wife and her coworker made an appointment  
24 with Jody Simon, and they got information from Jody  
25 Simon.



1 Q. Who was your wife's coworker?  
 2 A. Her name was Catherine Gouze.  
 3 Q. It was Catherine Gouze?  
 4 A. Yeah.  
 5 Q. Because at that point, when you first learned  
 6 about the project, you were living in Connecticut,  
 7 correct?  
 8 A. Yes, I was.  
 9 Q. And you said your wife was going back and  
 10 forth because of her job?  
 11 A. Yes.  
 12 Q. Where was she staying when she was coming  
 13 down to Tampa?  
 14 A. When she came down here, she would either  
 15 stay at the Sheraton on Cypress or she would stay with  
 16 Ms. Gouze at her condo.  
 17 Q. How long have you known Ms. Gouze?  
 18 A. At least ten years I would say. My wife knew  
 19 her before I did, and I met her through my wife.  
 20 Q. Does your wife still work with Ms. Gouze?  
 21 A. No. They both work for different firms.  
 22 Q. But your wife was working with Ms. Gouze at  
 23 the time back in 2005?  
 24 A. Yes.  
 25 Q. What were they doing? What was their

1 because her company was based here. I came here as  
 2 often as I could on vacations and long weekends.  
 3 Q. Over how long a period of time did you say  
 4 you were visiting your wife here in Tampa? Meaning --  
 5 I mean, when did the visits start?  
 6 A. After she started working for the company  
 7 here and when she started coming down here.  
 8 Q. When did she start working here in Tampa?  
 9 A. I would have to refer to her resumé. I'm not  
 10 exactly sure what the year was.  
 11 Q. Before your wife started working in Tampa,  
 12 had you ever been to Tampa before?  
 13 A. Yes.  
 14 Q. When?  
 15 A. As a child with my parents on vacation.  
 16 Q. Just on vacation?  
 17 A. Yes.  
 18 Q. So you have never -- other than currently,  
 19 you have never lived in Tampa before?  
 20 A. No.  
 21 Q. Okay. So back in 2005 were you and your wife  
 22 looking to move here permanently?  
 23 A. Yes.  
 24 Q. Did you intend that -- the unit in the Trump  
 25 Tower Tampa project, did you intend for that unit to be

1 business?  
 2 A. They worked for a e-commerce company called  
 3 Emporium located on Harbor Island.  
 4 Q. What did that company do?  
 5 A. They were mostly involved with, as I  
 6 mentioned, e-commerce. They would set up, for  
 7 instance, auctions. They worked mainly with power  
 8 companies, and they had a nucleus of seven or eight  
 9 large power companies. But in essence, they did  
 10 purchasing for them and tried to seek the best deals,  
 11 most economical deals, putting packages together for  
 12 them.  
 13 Q. You said Ms. Gouze was an attorney; is that  
 14 correct?  
 15 A. Correct. She was general counsel for the  
 16 company.  
 17 Q. Is she the attorney who represented you and  
 18 your wife in connection with your purchase of the unit?  
 19 A. Yes.  
 20 Q. Okay. Back in 2005, at the time you first  
 21 learned about the project, had you visited Tampa  
 22 before?  
 23 A. Yes, I had.  
 24 Q. How many times?  
 25 A. Hard to say. My wife came here frequently

1 your home?  
 2 A. Yes. I think it's important to know that  
 3 because any time I mentioned Trump Tower to coworkers,  
 4 friends, or whatnot, the next thing they said something  
 5 like you must be rich or something. That's not the  
 6 case.  
 7 My wife and I both are from blue collar  
 8 backgrounds. We both worked hard our entire life and  
 9 no one has ever given us anything. So for us, when we  
 10 were going to move into Trump Tower, it was going to be  
 11 our home. While it was Trump Tower, we were moving  
 12 into one of the lower end units. It was a stretch for  
 13 us, but it was with the intent of being our home.  
 14 Q. What was the entire purchase price of the  
 15 unit going to be? Do you remember?  
 16 A. When we first -- when she first met with Jody  
 17 Simon and they signed a reservation agreement, which  
 18 was nonbinding and didn't require any money, I want to  
 19 say what the number was in the 500,000 plus almost  
 20 600,000 range. We ended up -- I think the final price  
 21 was close to 700,000. That seems to be what they say  
 22 is where the unit started at the low end.  
 23 Q. Tell me about the unit. What specifically  
 24 was -- describe the unit that you understood you were  
 25 purchasing.

1 A. We were purchasing unit No. 1802 on the 18th  
2 floor. It was 1,991 square feet of living space to  
3 include two balconies, and one of the balconies had  
4 more than -- I think it was approximately 250 square  
5 feet of space and a smaller balcony.

6 I'm a bit melancholy as I look over my  
7 shoulder; this is the view that we would have had had  
8 the building been built. We would have been on the  
9 18th floor, not the 19th floor. The building was  
10 going -- the condo was going to come fully equipped  
11 with high-end cabinets, appliances, and so forth.

12 Q. Now, before you started looking at the Trump  
13 Tower Tampa, had you and your wife already started  
14 looking for a place of your own here in Tampa?

15 A. No. We had had discussions. I knew -- we  
16 knew that when I retired neither of us wanted to stay  
17 in Connecticut because of the weather and because of  
18 how expensive it is to live there. We knew we wanted  
19 to live some place in the south. We didn't know  
20 exactly where. The more we came to Tampa, the more we  
21 grew to love Tampa. It was just a matter of timing  
22 that this project -- this concept became a project. So  
23 we looked into it, and that's how we ended up getting  
24 into the project.

25 Q. Had you -- so before the Trump Tower Tampa

1 A. I'm not exactly sure who made the phone call.  
2 I think, perhaps, Catherine did, but they did get in  
3 touch with Mr. Simon, and they met with him next door  
4 at the Capital Trust building during one of their lunch  
5 hours, which would be extended if need be.

6 Q. Did your wife know Mr. Simon before that  
7 meeting?

8 A. No. She did not.

9 Q. Did your wife know any of the other members  
10 of SimDag-RoBEL before that meeting?

11 A. No. She did not.

12 Q. That would include Frank Dagostino, Patrick  
13 Sheppard, Robert Lyons. You didn't know any of those  
14 individuals before?

15 A. No, did not.

16 Q. Just to be clear, you didn't know any of  
17 those individuals either, correct?

18 A. No, I did not.

19 Q. How about Ms. Gouze, do you know -- did she  
20 have any -- or had she ever met any of these  
21 individuals before that meeting?

22 A. I would not know that.

23 Q. Did -- and you said a reservation agreement  
24 was signed at the -- was it signed at the meeting?

25 A. Yes.

1 project, had you looked at any other developments in  
2 downtown Tampa?

3 A. No. We didn't need to. We were very  
4 familiar with 345 Bayshore from staying there and liked  
5 that building, but we felt that the Trump building  
6 would be a step up from that. But more importantly for  
7 us was the location. We wanted to live downtown. We  
8 wanted to be able to walk to various things, and we  
9 wanted to have the views that we were going to be  
10 afforded.

11 Q. So were you mainly interested in a  
12 condominium as opposed to a house?

13 A. Absolutely. We had had enough houses.

14 Q. You said you had stayed in the 345 building  
15 before. Is that where Ms. Gouze lives?

16 A. Ms. Gouze lives there, yes.

17 Q. Now, I want to go back to the meeting with  
18 Mr. Simon. Prior to that meeting, had your wife had  
19 any contact with anyone else associated with the  
20 project?

21 A. No.

22 Q. No?

23 A. No.

24 Q. How did that meeting with Mr. Simon get  
25 arranged? Do you know?

1 Q. Did your wife sign that reservation  
2 agreement?

3 A. Yes.

4 Q. Did you sign it?

5 A. I did not. I was not there.

6 Q. Okay. Now, do you still have a copy of that  
7 reservation agreement?

8 A. I don't know, and I asked my wife about that,  
9 and she said if we have it, it would be with the  
10 material that we had. So I don't think it's something  
11 that I passed on, so I don't know.

12 The one thing that came out of that my wife  
13 remembers was a schematic of the building, and Mr.  
14 Simon put an X on the unit that we were purchasing and  
15 the one that Ms. Gouze was purchasing.

16 Q. I want to make sure that we have seen all of  
17 your documents. If the reservation agreement was not  
18 in the package of materials that you gave to your  
19 attorney, you wouldn't still have it, would you?

20 A. No, I would not.

21 Q. Okay. And you said that, to your knowledge,  
22 that reservation agreement was not binding?

23 A. Yes. My wife wouldn't have signed it  
24 otherwise. Mr. Simon said that just the purpose of  
25 signing the reservation agreement, there was no money

1 passed or exchanged at the time or did it need to be.  
 2 All it was doing was holding that unit in our name.  
 3 Q. So to be clear, neither you or your wife paid  
 4 any type of deposit when you signed the reservation  
 5 agreement; is that correct?  
 6 A. That's correct.  
 7 Q. Now, do you recall whether you or your wife  
 8 had received any type of the marketing materials prior  
 9 to the meeting with Mr. Simon?  
 10 A. I don't think so.  
 11 Q. Did Mr. Simon pass along any type of  
 12 marketing materials at that meeting?  
 13 A. I'm going to say no because after I spoke  
 14 with my wife on the phone after the meeting, I asked  
 15 her if she could send me a brochure or anything about  
 16 the building or the project, and she said, no, there  
 17 wasn't any at the time to send.  
 18 Q. Okay. Do you remember the -- when that  
 19 meeting took place approximately?  
 20 A. It's in my wife's notes. I do not know.  
 21 Q. When you say your "wife's notes," does she  
 22 have handwritten notes about the history of the  
 23 project?  
 24 A. No. She -- after the fact, along with her  
 25 resumé, she put some information together.

1 meticulous about that stuff. As I was getting ready to  
 2 move from Connecticut down to Tampa, I did discard some  
 3 of the items because they were bulky and not of a size  
 4 that was convenient to put in a binder or manilla  
 5 folders. Also, at that point, I didn't see the need to  
 6 save some of the documents since the project was no  
 7 longer going to be built.  
 8 Q. Just to be clear, if -- other than the items  
 9 and documents that you provided to your attorney, you  
 10 don't have any of these other items and documents  
 11 currently in your possession at home, correct?  
 12 A. No, I do not.  
 13 Q. When was the next time that either you or  
 14 your wife had any personal contact with anyone  
 15 associated with the project?  
 16 A. I know at one point we got an invitation to  
 17 attend the presentation here in Tampa. Again, right  
 18 next door on Ashley, at which time Mr. Trump was going  
 19 to be there, and I know that was February 18th. I'm  
 20 certain on the February 18th. The year, I'm not sure.  
 21 I think it was, perhaps, '06. That certainly comes to  
 22 mind.  
 23 Q. Did both you and your wife attend at that  
 24 presentation?  
 25 A. Yes, we did.

1 MR. TURKEL: I don't know what he is  
 2 referring to, but if it was done for counsel or  
 3 given to counsel, it's work product. We reserve  
 4 our right to object to producing it later on. I'm  
 5 not exactly sure what he's talking about, but it  
 6 could be something like that.  
 7 MS. VALIENTE: Sure. I'm not agreeing with  
 8 you.  
 9 MR. TURKEL: I know you're not agreeing. I  
 10 just don't want my silence to be seen as some  
 11 concession that may not be something we can assert  
 12 rights to.  
 13 MS. VALIENTE: Understood.  
 14 BY MS. VALIENTE:  
 15 Q. After that meeting, what was your next --  
 16 either you or your wife, what was your next contact  
 17 with anyone associated with the project?  
 18 A. We may have started to get items and  
 19 documents in the mail. What they were I can't recall,  
 20 but it just seemed to me that logic would say that once  
 21 they knew we were interested, they would start  
 22 providing information for us.  
 23 Q. Did you save all of the items and documents  
 24 that you received in the mail about the project?  
 25 A. I did up to a point because I try to be

1 Q. And you said Mr. Trump was there, correct?  
 2 A. Yes, he was.  
 3 Q. Did he speak?  
 4 A. Yes, he did.  
 5 Q. Other than speaking publicly to the group at  
 6 large, did you speak to him personally?  
 7 A. No, I did not.  
 8 Q. Did your wife?  
 9 A. No.  
 10 Q. Did you speak to anyone that you knew of that  
 11 was there on behalf of the Trump Organization?  
 12 A. Throughout the evening, because it was a  
 13 social affair also, a lot of the partners were  
 14 circulating around; and I think that's the first time  
 15 that I met Jody Simon, and that would have only been a  
 16 handshake and cordials and the same with Frank  
 17 Dagostino.  
 18 Q. But none of those individuals work for the  
 19 Trump Organization, correct?  
 20 A. No.  
 21 Q. Okay.  
 22 A. Not to my knowledge.  
 23 Q. I'm specifically asking about anyone that you  
 24 are aware of that you spoke with that worked for the  
 25 Trump Organization?

1 A. No one that I'm aware of, no.  
 2 Q. Okay. To your knowledge, does the same hold  
 3 true for your wife?  
 4 A. Correct.  
 5 Q. Now, what do you remember about the  
 6 statements that Mr. Trump made that night?  
 7 A. Quite a bit, because after the mayor  
 8 introduced him, he made sure he made plugs for his TV  
 9 show "The Apprentice," and he made sure he told us  
 10 about the negotiations as far as the actors on Friends  
 11 were getting \$2 million an episode and that's what he  
 12 wanted to come back. He said he made far less money  
 13 than that, but that's not important. I do remember  
 14 quite a bit.  
 15 When we finally got around to talking about  
 16 Tampa and the project, he started out by pointing out  
 17 his friendship with George Steinbrenner, and that he  
 18 loved Mr. Steinbrenner and that he loved the Yankees.  
 19 And he came to Tampa because it was a great city, and  
 20 it was going to be a great building, and he had great  
 21 partners.  
 22 Q. Anything else that you recall about his  
 23 statements that night?  
 24 A. Not that it was a -- that he loved his  
 25 partners and he loved the project. That was the word

1 A. Evie Paul.  
 2 Q. Did you save these e-mails?  
 3 A. Well, I may have printed some of them out and  
 4 put them in the binder that I was making, and if I did,  
 5 I would not have those in my possession. It's possible  
 6 some of them are there. It's possible some are not.  
 7 Q. But if they were not in the document that you  
 8 provided to the attorney, you wouldn't have them?  
 9 A. No. I would not.  
 10 Q. Would they still be on either your computer  
 11 or your wife's computer that you know of?  
 12 A. Not at this time they would not be, no.  
 13 Q. You're certain?  
 14 A. I'm not 100 percent certain, but reasonably  
 15 sure that they are not.  
 16 Q. Okay. So after you signed the reservation  
 17 agreement, did you and your wife do any type of due  
 18 diligence? What I mean by that is, did you yourselves  
 19 do any type of investigation to try and learn more  
 20 about the project?  
 21 A. Due diligence toward whom?  
 22 Q. Towards just the project in general. Did you  
 23 either -- well, let me rephrase that.  
 24 Did you do any type of due diligence either  
 25 with respect to the project or with respect to

1 he used. What was your question again?  
 2 Q. Whether you recalled anything else that he  
 3 said that night about the project.  
 4 A. No.  
 5 Q. Now, after that -- so I just -- I want to  
 6 clear something up. Between the time when the  
 7 reservation agreement was signed and the event on  
 8 February 18th, there was no -- that you know of, there  
 9 was no personal contact between either you and your  
 10 wife and anybody associated with the Trump Tower Tampa  
 11 project?  
 12 A. I don't believe there was personal contact.  
 13 There was contact by way of mail and by courier  
 14 service.  
 15 Q. Any e-mail correspondence?  
 16 A. If there was at that time, it would have been  
 17 not so much details about the project, but just tell us  
 18 events that were happening.  
 19 Q. Okay. Do you recall receiving e-mails from  
 20 someone associated with the project ever? Not just  
 21 this time period but just over the course of the  
 22 events.  
 23 A. Of the entire events, yes.  
 24 Q. Who specifically did you receive e-mails  
 25 from?

1 SimDag-RoBEL to the history of that company and the  
 2 type of history that they had with respect to  
 3 developing property, or any type of due diligence with  
 4 respect to Mr. Trump and his track record?  
 5 MR. TURKEL: Object to form.  
 6 BY MS. VALIENTE:  
 7 Q. That was kind of a long question. Let's  
 8 break that up.  
 9 MR. TURKEL: Can we take a break? We've been  
 10 going about an hour.  
 11 MS. VALIENTE: Let's just finish this line of  
 12 questioning and then we'll take a break.  
 13 BY MS. VALIENTE:  
 14 Q. Let me break up that last question.  
 15 Let's start with SimDag. Did you or your  
 16 wife do any type of investigation with respect to  
 17 SimDag before you signed the purchase agreement?  
 18 A. By investigation you are talking due  
 19 diligence?  
 20 Q. Yes, sir.  
 21 A. No, we did not, and why, because I didn't  
 22 feel we had. So Mr. Trump chose this company as his  
 23 partner, at the time, in a \$220 million project, and if  
 24 Mr. Trump didn't do due diligence, then shame on him  
 25 and unfortunate for all of us.

1 Q. So you said you personally didn't do any due  
 2 diligence. Did anybody do any due diligence on your  
 3 behalf; for example, an attorney?  
 4 A. No.  
 5 Q. How about did you or your wife do any due  
 6 diligence with respect to Mr. Trump or the Trump  
 7 Organization?  
 8 A. No, we did not. The Trump Organization is  
 9 widely known, and it has had some problems, but I don't  
 10 think the problems were related to this. I know in  
 11 some cases he had filed bankruptcy, and that was mostly  
 12 in the gaming industry. Being from New Jersey, I am  
 13 familiar with Atlantic City. No. I didn't feel it was  
 14 necessary to do due diligence on the Trump Organization  
 15 when it came to building buildings.  
 16 If I could back up just one second. That was  
 17 one other thing Mr. Trump pointed out that evening in  
 18 February that The Apprentice aside, this is -- he said  
 19 in his words: "This is what I really like to do, build  
 20 buildings."  
 21 Q. So other than information that you had heard  
 22 just from the media that was -- let me rephrase that.  
 23 Your only source of knowledge about Mr. Trump  
 24 came from just what you heard generally in the media;  
 25 is that fair?

1 (Brief recess.)  
 2 BY MS. VALIENTE:  
 3 Q. Okay. I want to kind of go back to -- we  
 4 were talking about the timeline of you and your wife's  
 5 involvement with the project and leading up to the  
 6 signing of the purchase agreement. So we talked about  
 7 the meeting with Jody Simon, and then we talked about  
 8 the event on February 18th.  
 9 Now, I want to focus on the time period  
 10 between that event, February 18th, and when you signed  
 11 the purchase agreement. In that time period, did you  
 12 or your wife have any further contact with anybody  
 13 relating to the project?  
 14 A. I don't think so.  
 15 Q. At that time were you being represented by  
 16 Ms. Gouze?  
 17 A. No. She was just a friend and -- well, when  
 18 I say just a friend, I don't want to minimize that.  
 19 She is a friend who happened to be an attorney who was  
 20 also involved with the project as a purchaser.  
 21 Q. I want to make sure when I say -- when I ask  
 22 whether you had any contact with anybody associated  
 23 with the project, I would be asking not only you or  
 24 your wife directly but anybody representing you such as  
 25 an attorney or anyone else like that.

1 A. Yes.  
 2 Q. And you said you had heard about some of  
 3 Mr. Trump's prior projects that hadn't been successful,  
 4 correct?  
 5 A. Yes.  
 6 Q. So, I mean, you did realize that he was  
 7 involved in projects that weren't always successful,  
 8 correct?  
 9 A. The projects at that time that I was aware  
 10 that he was not successful that I mentioned was the  
 11 gaming industry. I was not aware specifically of any  
 12 project as far as building a building at that time that  
 13 was not successful.  
 14 Q. But you didn't do anything to find out  
 15 whether or not that was, in fact, the case, correct?  
 16 MR. TURKEL: Object to form.  
 17 A. No, I did not, and I did not feel it was  
 18 necessary.  
 19 BY MS. VALIENTE:  
 20 Q. But certainly, you realize that he is not  
 21 infallible, correct?  
 22 A. None of us are.  
 23 MS. VALIENTE: We can take a break if you  
 24 would like.  
 25 MR. TURKEL: Sure.

1 Let me ask it again. Between February 18th  
 2 and when you signed the purchase agreement, was there  
 3 any contact either by you or your wife or somebody  
 4 representing you or your wife with anybody associated  
 5 with the project?  
 6 A. In person or by correspondence of any way?  
 7 Q. Well, let's start first in person.  
 8 A. No.  
 9 Q. How about e-mail correspondence?  
 10 A. I don't think it would have been e-mail at  
 11 that point in time.  
 12 Q. Okay. And any other type of correspondence  
 13 other than just your receiving marketing materials?  
 14 A. I think that would have been the extent.  
 15 Q. I want to go over with you some of the  
 16 documents we have gotten from your attorneys. I'm  
 17 going to you hand what I have marked as Exhibit 1.  
 18 MR. TURKEL: What you are showing him now are  
 19 copies of the originals; that whole rigamarole you  
 20 just went through or not? Are these others?  
 21 MS. VALIENTE: What I'm showing him are --  
 22 they came from the production we got from you guys  
 23 I think either yesterday or the day before.  
 24 MR. TURKEL: Not necessarily this stack of  
 25 the originals, right?

1 MS. VALIENTE: This one I didn't ask for the  
 2 originals of. When we get to the ones where we  
 3 have originals, I'll show him both the copy and  
 4 the original.  
 5 MR. TURKEL: What I'm getting at is, do you  
 6 have copies for me on these?  
 7 MS. VALIENTE: No. Sorry.  
 8 (Discussion off the record.)  
 9 BY MS. VALIENTE:  
 10 Q. I just handed you what was marked as Exhibit  
 11 No. 1. Can you tell me what that document is or do you  
 12 recognize that document?  
 13 A. Yes, I do.  
 14 (Exhibit No. 1 was marked for  
 15 identification.)  
 16 BY MS. VALIENTE:  
 17 Q. What do you understand that document to be?  
 18 A. It's a letter from us in which we sent the  
 19 deposit moneys to -- for our condominium unit.  
 20 Q. The letter is dated August 17, 2005, correct?  
 21 A. Yes.  
 22 Q. Is that the time that you sent in your  
 23 deposit?  
 24 Let me back up. It says -- the letter says  
 25 that the additional deposit is enclosed herewith. To

1 that you kept in your files?  
 2 A. Yes.  
 3 Q. Okay. Turning to Exhibit No. 2. Do you  
 4 recognize that document?  
 5 A. Yes, I do.  
 6 Q. What is it?  
 7 A. Just looking for --  
 8 Q. Sure. Just take your time to read through  
 9 it.  
 10 A. This would have come with the purchase  
 11 contract, and it was telling us who to send the deposit  
 12 to.  
 13 Q. Okay. I see that the letter -- the first  
 14 sentence says, "Enclosed please find the purchase  
 15 contract for unit 1802 at Trump Tower Tampa, as well  
 16 the condominium documents regarding the same." Do you  
 17 recall receiving the condominium documents along with  
 18 your purchase contract?  
 19 A. I am not sure if the condominium document is  
 20 the very thick document. If that's the case, yes, we  
 21 did get that.  
 22 Q. Okay. Now, did this letter come to -- do you  
 23 remember -- did this letter come to you in Connecticut  
 24 or where was this letter sent to?  
 25 A. I'm going to say that it came to us in

1 your recollection, did you send at least a portion of  
 2 the deposit along with this letter?  
 3 A. Yes. And there would be or should be  
 4 somewhere in all of the documents a FedEx -- that was  
 5 sent FedEx or some sort of documentation from FedEx as  
 6 to when it was sent.  
 7 Q. What was the total amount of the deposit that  
 8 you paid for your unit in the project?  
 9 A. I believe it's this number right here, the  
 10 94,000.  
 11 Q. Do you know what is the amount that you --  
 12 strike that.  
 13 Have you received a return of any portion of  
 14 your deposit?  
 15 A. We received half of our deposit.  
 16 Q. So what is the amount of the deposit that you  
 17 paid that you have not -- that has not been returned to  
 18 you?  
 19 A. 75,599.90.  
 20 (Exhibit No. 2 was marked for  
 21 identification.)  
 22 BY MS. VALIENTE:  
 23 Q. I am going to hand you what we have marked as  
 24 Exhibit No. 2. Before I do that, let me go back to --  
 25 on Exhibit No. 1, do you recognize that as a document

1 Connecticut.  
 2 Q. Okay. Do you remember receiving the purchase  
 3 agreement in the condo documents?  
 4 A. Again, if the purchase agreement is that big,  
 5 thick binder?  
 6 Q. I will actually show you the documents later  
 7 on, so we will wait -- we will wait until we get there.  
 8 Let's mark this as Exhibit No. 3. Well, before  
 9 we move on to the next exhibit, back to Exhibit No. 2.  
 10 Did you recognize that as one of the documents that  
 11 came from one of your files that you kept at home?  
 12 A. Yes.  
 13 Q. I'm going to show you what we have marked as  
 14 Exhibit No. 3. Do you recognize that document?  
 15 (Exhibit No. 3 was marked for  
 16 identification.)  
 17 A. Yes.  
 18 BY MS. VALIENTE:  
 19 Q. Is that also a document that came from your  
 20 file that you kept at home?  
 21 A. Yes.  
 22 Q. Okay. Mr. Robbins, let me show you what I  
 23 have marked as Exhibit 4, and I'm also going to hand  
 24 you what I believe is the original of that document.  
 25 Do you recognize Exhibit No. 4?

1 (Exhibit No. 4 was marked for  
 2 identification.)  
 3 A. Yes, I do. I believe this -- the very  
 4 original was in a spiral-bound color format, which I  
 5 don't recall having. Not that I didn't get, but I  
 6 didn't recall having and I did not give that to my  
 7 attorneys because I did not have the spiral-bound one,  
 8 but I recall this document, yes.

9 BY MS. VALIENTE:

10 Q. Because you've got in front of you the copy  
 11 that I marked Exhibit 4. Then you have another copy  
 12 next to you.

13 A. Right.

14 Q. So the unmarked copy, that is not the  
 15 original?

16 A. The original for me?

17 Q. Right. When I mean original, I mean the  
 18 original that you received from the Trump Tower Tampa  
 19 project.

20 A. The very original, the one that was spiral  
 21 bound, I do not remember receiving at all. Somehow I  
 22 got this, but I don't recall having a spiral bound one.

23 Q. So you don't recall ever receiving a spiral  
 24 bound copy?

25 A. No, I do not.

1 document, around what time period?

2 A. Purely a guess, but I'm going to say around  
 3 the time of the social function down here with  
 4 Mr. Trump. Maybe just prior to or just after, but  
 5 around that time frame.

6 Q. So is this a document that you saw before you  
 7 signed the purchase agreement?

8 A. I think, yes, because of the fact that it has  
 9 got the two units marked on it, and that it shows floor  
 10 plans and the building itself. So I would say yes.

11 Q. Are you absolutely certain you saw it before  
 12 the purchase --

13 A. I'm not absolutely certain.

14 Q. Just to be sure, can you flip through the  
 15 unmarked document and then flip through the copy and  
 16 tell me does it look like the copy has every page that  
 17 is in your -- I just want to be clear. Is that the  
 18 document -- that's the document that came from your  
 19 file, the unmarked copy, correct?

20 A. It's not here.

21 Q. Just to be clear, the document that is not  
 22 marked, is that the document that came from your file,  
 23 your physical file?

24 A. Yes.

25 Q. I want to take a look at the last page of

1 Q. How do you know there was a version of that  
 2 document that was spiral bound?

3 A. I saw one.

4 Q. Okay. Where did you see it? Do you  
 5 remember?

6 (Discussion off the record.)

7 BY MS. VALIENTE:

8 Q. I will move on.

9 MR. TURKEL: Let me ask you this -- we are  
 10 going to call what you have marked -- what is  
 11 actually attached to the depo is a copy of what  
 12 appears to be an original copy. Is that a fair  
 13 way to describe it?

14 MS. VALIENTE: Right. We are not calling it  
 15 an original because from what I understand -- let  
 16 me back up.

17 BY MS. VALIENTE:

18 Q. The document that has not been marked as  
 19 Exhibit 4, where did that document come from? Do you  
 20 know?

21 A. I do not know.

22 Q. Okay. Do you remember when you received that  
 23 document?

24 A. No.

25 Q. Do you remember when you first saw that

1 Exhibit 4. As you said, that last page is not in the  
 2 unmarked version. Do you recognize that last page?

3 A. Yes.

4 Q. Where did that last page come from? Do you  
 5 know?

6 A. Again, I do not know.

7 MR. TURKEL: For the record, the page you are  
 8 referring to is 495. So when you say it's not in  
 9 the unmarked version, just so the record is clear,  
 10 you are saying the unmarked version?

11 MS. VALIENTE: Ends at P00494.

12 MR. TURKEL: Right. Was this copy page  
 13 produced? Obviously, it was sequentially.

14 MS. VALIENTE: Right. It was in that  
 15 production.

16 MR. TURKEL: I don't know. I would just  
 17 say -- just so the record is clear -- it may have  
 18 been left out of the original copy and  
 19 inadvertently --

20 MS. VALIENTE: Or it may have been a second  
 21 page not part of that.

22 BY MS. VALIENTE:

23 Q. Mr. Robbins, can you flip through Exhibit 4  
 24 and tell me where, if any, you believe there are any  
 25 misrepresentations in that document?

1 MR. TURKEL: Object to the form.  
 2 BY MS. VALIENTE:  
 3 Q. Take your time. If you could read it over  
 4 and let me know if you see anything that you would  
 5 consider a misrepresentation.  
 6 MR. TURKEL: Again, object to the form.  
 7 A. Can you ask your question again?  
 8 BY MS. VALIENTE:  
 9 Q. Is there anything in that document that you  
 10 would consider a misrepresentation?  
 11 MR. TURKEL: Object to form.  
 12 A. No.  
 13 BY MS. VALIENTE:  
 14 Q. We're still on Exhibit 4. You see the  
 15 document has what's called Bates labels on the lower  
 16 right-hand corner?  
 17 A. Yes.  
 18 Q. If you could you turn to the page that is  
 19 P00481.  
 20 A. Yes.  
 21 Q. If you look at the third paragraph on that  
 22 page, do you see where it says -- starting at the end  
 23 of the second line of that third paragraph, it says  
 24 that the building is designed by Smith Barnes  
 25 Santiesteban Architecture. Do you see where that

1 things that we need to persuade a jury that you  
 2 are right and you are wrong. Because of that, I'm  
 3 worried that I don't get the original back. I  
 4 could tell you this: I would not have problem  
 5 with you referring to it as Exhibit 5, using it  
 6 throughout his questioning, and then the minute  
 7 you are done with that exhibit I will take it out  
 8 there and get a copy made of it.  
 9 MS. VALIENTE: That's fine.  
 10 MR. TURKEL: You don't have to put a sticker  
 11 on it. We will just call Exhibit 5, the Views.  
 12 Did we produce multiple Views volumes? I know  
 13 there was more than one.  
 14 MS. VALIENTE: There has been multiple  
 15 versions.  
 16 MR. TURKEL: As to this specific witness?  
 17 MS. VALIENTE: No. There was just one Views.  
 18 We will call Exhibit 5 the Views. Previously, the  
 19 plaintiff had produced a copy of the portion of  
 20 the first page of the document and that Bates  
 21 number was P00496.  
 22 MR. TURKEL: What is 497?  
 23 MS. VALIENTE: 497 is this.  
 24 MR. TURKEL: Which is an invitation.  
 25 MS. VALIENTE: It's a clipping of a newspaper

1 document tells you that document is designed by the  
 2 Smith Barnes architecture firm, correct?  
 3 A. Correct.  
 4 Q. And it doesn't say it's designed by Mr. Trump  
 5 or the Trump Organization, correct?  
 6 A. No, it does not.  
 7 Q. All right. The production we got from you  
 8 guys just had a first page like this of the Views,  
 9 which is a much longer document. Is there any way  
 10 to -- do you have any objection to marking the  
 11 original?  
 12 MR. TURKEL: Was the original which we are  
 13 going to mark part of the originals that were  
 14 given to you for this specific witness?  
 15 MS. VALIENTE: Yes.  
 16 MR. TURKEL: And we want to mark the original  
 17 why? You don't have a full copy there or --  
 18 MS. VALIENTE: No. What was given to us was  
 19 just the cover page.  
 20 MR. TURKEL: We didn't run a copy of it.  
 21 MS. VALIENTE: No.  
 22 MR. TURKEL: No, I don't have a problem with  
 23 that. The only problem I have is this: We would  
 24 probably want the original for trial because we  
 25 may need the original to do blowups or other

1 article.  
 2 MR. TURKEL: What we'll do is this: When we  
 3 go make the copy, we will take 496; we will put  
 4 that on top of the copy we make, and then what I  
 5 will try and do before you leave today or at the  
 6 very latest, when we get this back is, we will  
 7 Bates stamp the rest of that Views 496 A, B, C,  
 8 and, D. That way we will have a nice record of  
 9 what 496 is.  
 10 MS. VALIENTE: Since there are multi Views  
 11 produced throughout this case, just to be clear,  
 12 it's the one that says spring 2005 issue one on  
 13 it.  
 14 (Exhibit No. 5 was marked for  
 15 identification.)  
 16 BY MS. VALIENTE:  
 17 Q. So, Mr. Robbins, I will hand you what we are  
 18 marking as Exhibit 5, and first, I will ask you -- do  
 19 you recognize that as a document that came from your  
 20 file that you kept at home?  
 21 A. Yes.  
 22 Q. Okay. Do you remember when you received that  
 23 document?  
 24 A. No, I do not. But based on the date that is  
 25 printed on here, I would have to say probably within a



1 month of sometime in the spring of '05. No later than  
 2 that probably.  
 3 Q. Did you read that document from cover to  
 4 cover when you received it?  
 5 A. Yes.  
 6 Q. Did you read it before you signed the  
 7 purchase agreement?  
 8 A. That, I cannot remember. I can't recall.  
 9 Q. Okay. Can you take a look through the  
 10 document and tell -- take your time. Tell me if you  
 11 see anything on that document that you would consider a  
 12 misrepresentation.  
 13 MR. TURKEL: Object to the form.  
 14 A. I think on the very back page -- and this one  
 15 doesn't have your Bates number on it. But on the very  
 16 back page, it does say that it's a development of  
 17 Donald J. Trump and SimDag.  
 18 BY MS. VALIENTE:  
 19 Q. Is that the only statement you see?  
 20 MR. TURKEL: Object to form.  
 21 A. Again, he keeps referring to the partnership,  
 22 which I know now, as I sit here today, was not a true  
 23 partnership.  
 24 BY MS. VALIENTE:  
 25 Q. Okay. If you could turn back to the last

1 specifications subject to change without notice."  
 2 Q. So you would agree that that statement says  
 3 that you can't rely on oral representations as  
 4 correctly stating the representations of the developer,  
 5 correct?  
 6 MR. TURKEL: Object to form.  
 7 A. Can you repeat that question?  
 8 BY MS. VALIENTE:  
 9 Q. Sure. Let me rephrase. The statement  
 10 specifically says the presentation of these materials  
 11 does not constitute any representation or warranty by  
 12 Donald J. Trump, correct?  
 13 A. Correct.  
 14 Q. And the statement also says that you  
 15 shouldn't rely on any statements if they are not in the  
 16 prospectus; is that correct?  
 17 A. Correct.  
 18 Q. Now, other than the statement a development  
 19 of Donald J. Trump and SimDag-RoBEL, LLC, that appears  
 20 on that last page that we talked about earlier, you  
 21 never asked anyone to clarify for you what exactly --  
 22 what Mr. Trump's exact involvement in the project was,  
 23 did you?  
 24 MR. TURKEL: Object to form.  
 25 A. No.

1 page of the document. If you could look at -- can you  
 2 read to me -- do you see the very bottom of the  
 3 document?  
 4 A. Yes.  
 5 Q. Can you read what that says, please? Read it  
 6 out loud, please.  
 7 A. "This announcement is furnished to provide  
 8 general information about the property described herein  
 9 and is subject to change without notice. The  
 10 presentation of these materials does not constitute any  
 11 representation or warranty by Donald J. Trump  
 12 SimDag-RoBEL, LLC, or the Toni Everett Company and may  
 13 not be relied upon by any person entity.  
 14 "Oral representations cannot be relied upon  
 15 as correctly stating the representations of the  
 16 developer. For correct representations, references  
 17 should be made to the documents required by Section  
 18 718.503 Florida Statutes to be furnished by the  
 19 developer to the buyer or the lessee.  
 20 "This offering is made only by the prospectus  
 21 for the condominium and no statement should be relied  
 22 upon if not made in the prospectus. This is not  
 23 offered to sell or solicitation of offers to buy the  
 24 condominium unit in states where such offer or  
 25 solicitation cannot be made. Prices, plans, and

1 BY MS. VALIENTE:  
 2 Q. Did you do anything or did you read the  
 3 prospectus to make sure or to find out what the  
 4 prospectus said about Mr. Trump's involvement in the  
 5 project?  
 6 A. I read the prospectus, yes.  
 7 Q. Is it your recollection that the prospectus  
 8 made some type of misrepresentation about Mr. Trump's  
 9 involvement in the project?  
 10 A. I would have to see the prospectus.  
 11 Q. But sitting here right now, do you  
 12 specifically recall any statement in the prospectus  
 13 about Mr. Trump's involvement in the project?  
 14 MR. TURKEL: Object to form.  
 15 A. No.  
 16 BY MS. VALIENTE:  
 17 Q. Moving on to the next exhibit. I'm going to  
 18 hand you what is marked as Exhibit 6. Then I'm going  
 19 to hand you two documents. There is actually -- the  
 20 first document there is a front and a back to that  
 21 document.  
 22 They look like there is clippings from  
 23 newspapers that have been attached to just a white  
 24 paper, and on the first document there is a clipping.  
 25 It looks like it's pasted or it's taped on

1 the front side, and there is a clipping taped on the  
2 backside. Then the second document just has a clipping  
3 that looks like a picture of the Trump Tower Tampa  
4 building on the front.

5 So let me give you this, and let me ask if  
6 you could take a look at those unmarked documents and  
7 just confirm to me that what has actually been marked  
8 as Exhibit 6 are copies of the unmarked documents?

9 A. Correct.  
10 (Exhibit No. 6 was marked for  
11 identification.)

12 BY MS. VALIENTE:

13 Q. Are the unmarked documents -- are those  
14 documents that came from your file?

15 A. Yes.

16 Q. Do you know where those clippings came from?

17 A. They came from the Tampa Tribune.  
18 Unfortunately, I didn't write the date, but it's from  
19 the tribune.

20 Q. Do you have a subscription to the Tampa  
21 Tribune? Let me rephrase that. Did you have a  
22 subscription to the Tampa Tribune in 2005?

23 A. No. Because we weren't here all of the time  
24 in 2005, so there wasn't any reason to.

25 Q. Do you remember how exactly you got those

1 Q. Okay. Do you recall whether you saw them  
2 before the -- before you signed the purchase agreement?

3 A. I think after.

4 MR. TURKEL: Are you done with Exhibit 6?

5 MS. VALIENTE: Yes, I am.

6 BY MS. VALIENTE:

7 Q. Mr. Robbins, I'm going to hand you what we  
8 have marked as Exhibit 7, and also for the record it's  
9 Bates No. P500. So I'm handing you what we have  
10 actually marked as the exhibit. Then I'm handing you a  
11 document that -- I believe -- is that the unmarked  
12 document that I sent -- handed you -- do you recognize  
13 that as a document from your file?

14 (Exhibit No. 7 was marked for  
15 identification.)

16 A. Yes.

17 BY MS. VALIENTE:

18 Q. Can you confirm whether the unmarked  
19 document -- or whether the copy that we have marked as  
20 Exhibit 7 is a copy of the unmarked document?

21 A. Yes.

22 Q. And what is that document?

23 A. This is an e-mail from Carmen Inclan to  
24 Catherine Gouze about the Trump building that was going  
25 to be -- that -- the Trump project that was going to be

1 clippings?

2 A. Yes. Either I happened to be in Tampa when  
3 this was in the paper or my friend, in this case  
4 Catherine Gauze, might have saved it for me. I do know  
5 she gets the St. Pete Times, so I don't know how this  
6 may have come about. There just seemed to be -- as I  
7 said, I read both papers online, and there just seemed  
8 to be more information about the project here in Tampa  
9 in the Tribune than the St. Pete Times.

10 Q. Do you know who actually cut out the  
11 clippings and --

12 A. I did.

13 Q. You did?

14 A. Yes, I did.

15 Q. And you cut them out and you taped them on  
16 the paper?

17 A. Yes.

18 Q. Is that -- when we were talking earlier about  
19 documents you kept in a binder, are those the documents  
20 that you kept in your binder?

21 A. Yes.

22 Q. Now, as you said before, there is no date on  
23 those clippings. Do you remember when you got those  
24 specific -- or saw those specific clippings?

25 A. No, I don't.

1 built here in Tampa.

2 Q. Was this an e-mail that was forwarded to you?

3 A. No. It was not. Let me take that back. One  
4 second. Yes. It would have been forwarded.

5 Q. On the very top of the document where it  
6 looks like it has a header that says: "John  
7 Robbins-FW: Trump to build in downtown Tampa," was that  
8 something that your computer did on its own or did  
9 somebody type that on there?

10 A. I think the computer did it because -- I'm  
11 guessing -- my best recollection is that this was  
12 forwarded to me. It would have been forwarded from  
13 Catherine because I was in Connecticut.

14 Q. Do you remember when this was forwarded to  
15 you?

16 A. Not exactly, but I would say pretty close to  
17 this date of 1/10/05.

18 Q. Do you remember reading this e-mail that she  
19 forwarded to you?

20 A. Yes.

21 Q. Do you remember reading this e-mail before  
22 you signed the purchase agreement?

23 A. Yes. I think it was before.

24 Q. Are you 100 percent certain?

25 A. There is a certain amount of uncertainty

1 there, yes.  
2 Q. Just to be clear, you don't know for certain  
3 whether you saw it before the purchase agreement was  
4 signed?

5 A. Correct, yes.

6 Q. Can you read over the e-mail? You can read  
7 it to yourself. Tell me is there anything in that  
8 e-mail that you would consider a misrepresentation?

9 MR. TURKEL: Object to the form.

10 A. I mean, as I read it now -- of course,  
11 there's always hindsight. The mayor's statement that  
12 she appreciates Mr. Trump's investment in Tampa, I  
13 think I would have to say she is speaking, obviously,  
14 strictly as the mayor and to have someone of his  
15 caliber come here and build the building.

16 BY MS. VALIENTE:

17 Q. But that's the mayor's statement, correct?

18 A. Correct.

19 Q. Again, if you look at the last paragraph of  
20 that e-mail, the e-mail states: "Trump Tower Tampa is  
21 designed by the Tampa-based firm Smith Barnes  
22 Santiesteban Architecture, Inc." Then it also says  
23 that Turner Construction will build the project?

24 A. Correct. Now, I do know as far as  
25 Mr. Trump's involvement, Mr. Trump is the one that

1 A. Again, it's a news article from some source  
2 that I made and kept with the other documents that I  
3 was keeping.

4 Q. Now, it looks like -- it looks like this  
5 might be part of an e-mail chain that was -- do you  
6 know -- is there a page missing from this or is there a  
7 portion missing from this document?

8 A. I don't know.

9 Q. Do you know who sent you this document or how  
10 you got it?

11 A. At this time, no.

12 Q. Do you remember when you got it?

13 A. No.

14 Q. Do you remember actually reading this  
15 document?

16 A. Yes.

17 Q. Did you read it before you signed the  
18 purchase agreement?

19 A. I'm not sure.

20 Q. Again, if you could read this over. Just  
21 take your time and let me know if there is anything on  
22 this document that you would consider a  
23 misrepresentation.

24 MR. TURKEL: Object to the form.

25 A. I think -- again, it mentions that the

1 selected Turner Construction to build the building.

2 Q. How do you know that?

3 A. I read that in the paper.

4 Q. Moving on to the next exhibit. Oh, before we  
5 do that, just for the record, we had -- or Mr. Turkel  
6 had a color copy made of the Views article that we were  
7 discussing earlier. That was the Views from spring of  
8 2005, Issue One. So we have marked that color copy as  
9 Exhibit 5.

10 Mr. Robbins, I'm going to hand you what we  
11 have marked as Exhibit 8. Exhibit 8 is a copy. I have  
12 also handed you an unmarked document. Can you confirm  
13 the unmarked document is a copy of what we have marked  
14 as Exhibit 8? I'm sorry. Let me rephrase that. Is  
15 Exhibit 8 a copy of the unmarked document that you are  
16 looking at?

17 (Exhibit No. 8 was marked for  
18 identification.)

19 A. Yes.

20 BY MS. VALIENTE:

21 Q. Do you recognize the unmarked document -- do  
22 you recognize the unmarked document as a document that  
23 came from your personal files?

24 A. Yes.

25 Q. What is that document?

1 project will be called Trump Tower and will be  
2 developed in a partnership with local Tampa Bay area  
3 developers SimDag-RoBEL. The trouble I have with this  
4 and as I sit here today, I know that they threw the  
5 word "partnership" around quite a bit. But I also know  
6 because I read the licensing agreement, so it gives me  
7 some trouble as I read this, that Mr. Trump has  
8 invested in the partnership and that I find out that it  
9 was a -- just strictly a licensing agreement in which  
10 he sold his name.

11 BY MS. VALIENTE:

12 Q. Well, let's talk about that for a minute.  
13 You said you read the licensing agreement?

14 A. Yes, I did.

15 Q. When did you read it?

16 A. Certainly not before signing any papers  
17 committing us to this project because it had a  
18 confidentiality agreement. The way I found out about  
19 the document to begin with was when SimDag sued  
20 Mr. Trump. At which time as I'm reading it -- and then  
21 I realize that the Trump Organization and Donald Trump  
22 and SimDag were not upfront to my wife and I. Had we  
23 had that information early on, we would not have  
24 continued on with the project.

25 Where I actually read the document, because

1 it was not available, it was attached to the complaint  
2 that was filed by our attorneys, and I did read the  
3 document from cover to cover. It's somewhere between  
4 12 and 20 pages, I believe, but I read every bit of it,  
5 yes.

6 Q. You didn't read it until this lawsuit that we  
7 are here about today was filed?

8 A. Correct. Because it was not available to me  
9 until then.

10 Q. Well, when did you -- this lawsuit between  
11 Mr. Trump and SimDag, that was filed back in May of  
12 2007.

13 A. Yes.

14 Q. You didn't do anything to try and get a copy  
15 of the license agreement at that time?

16 A. As a layman not an attorney, I wouldn't have  
17 known about how to go about getting a copy of it.

18 Q. Did you try and -- did you retain an attorney  
19 or did you -- let me rephrase that.

20 Did you do anything to try and figure out if  
21 you could get a copy?

22 MR. TURKEL: Object to form.

23 A. No.

24 BY MS. VALIENTE:

25 Q. Because a copy of the license agreement was

1 was going to be a SimDag-RoBEL building. Had we  
2 even -- had Mr. Trump built the building and it was his  
3 building, it would have had certain value to it. I  
4 don't care about the name myself. That doesn't -- for  
5 me to say I live in a Trump building doesn't mean  
6 anything to me to say that to someone, but the fact  
7 that I live in a Trump building has a certain value.

8 While we bought the condo to live in and be  
9 our residence, that we -- would think that at some  
10 point in time if it were ever sold, it would have value  
11 as a Trump building. Selling a SimDag-RoBEL building  
12 would not have the value of a Trump building.

13 Q. So it's your opinion that because there is  
14 the arrangement because the Mr. Trump and SimDag is in  
15 the form of license agreement, that the building was  
16 not going to be a Trump building? Is that what you are  
17 saying?

18 MR. TURKEL: Object to form.

19 A. It was not going to be a Trump building in  
20 that while Mr. Trump selected the Turner Construction,  
21 for instance, and while they made some changes to the  
22 building itself, no, it was not going to be a Trump  
23 building. For me and my wife to pay the type of money  
24 that we were paying, I believe, we were lead under  
25 false pretenses.

1 attached as an exhibit to the complaint that Mr. Trump  
2 filed against SimDag.

3 MR. TURKEL: Object to form. Move to strike.

4 Was that a question?

5 BY MS. VALIENTE:

6 Q. By question is: So you never got a copy of  
7 the actual complaint that was filed by Mr. Trump  
8 against SimDag; is that correct?

9 A. Correct.

10 Q. So I just want to make sure. What was it  
11 about -- let's take a step back.

12 Was the first time you learned about this  
13 license agreement -- was it in the news reports that  
14 talked about the lawsuit between Mr. Trump and SimDag?

15 A. Yes.

16 Q. What was it about what was in those news  
17 reports that made you believe that your -- what you had  
18 thought was Mr. Trump's actual involvement in the  
19 project was not, in fact, correct?

20 A. My wife and I believed that we were buying  
21 into a Donald Trump signature property that, again,  
22 Mr. Trump had an investment in, was going to share in  
23 expenses, and share in the profits, and the end result  
24 was going to be a Donald Trump building.

25 After I read that, in my mind the end result

1 SimDag-RoBEL could not command that money for  
2 the building. They couldn't get that type of money per  
3 square foot. Everything being equal, they could not  
4 command it on their name alone. No one in Tampa -- I  
5 take that back. I, certainly, sitting here in Tampa  
6 would not spend that money for a SimDag-RoBEL building  
7 when there were other buildings, other properties in  
8 Tampa that I could have looked at. I could have gone  
9 and felt the countertops. I could have looked at the  
10 fixtures, the woodwork, the cabinets. You know, they  
11 were there, and knowing this now, we would not have  
12 gone any further.

13 Q. Well, let's take a step back.

14 A. Sure.

15 Q. Now, you have said that you didn't do any  
16 type of investigation as to Mr. Trump's prior projects,  
17 correct?

18 A. Correct.

19 Q. The only thing you knew about them is what  
20 was just generally reported in the media, correct?

21 A. Correct.

22 Q. Well, how do you know whether or not -- how  
23 do you know what Mr. Trump's role was with respect to  
24 all of his other properties?

25 MR. TURKEL: Object to form.

1 A. I wouldn't know. All I know is that there  
2 were Trump signature properties; and again, as I sit  
3 here today, I know some he wholly owns; some are  
4 licensing agreements; others he is a partner in one  
5 form or another. I wouldn't know that. He has many  
6 holdings, many buildings, and I just wouldn't know.

7 Q. Right. So you don't know that Mr. Trump's  
8 involvement in other buildings that have been built and  
9 are considered Trump buildings was any different than  
10 his involvement in this building, do you?

11 A. I was not personally involved in those, and  
12 this one I do have personal involvement. So you know  
13 we can talk about the other buildings, but the one that  
14 pertains to me most is Trump Tower Tampa.

15 Q. Right. But from what I understand -- my  
16 understanding of what you are saying -- and please if  
17 my understanding is incorrect, let me know. My  
18 understanding of what you are telling me is that when  
19 you read about the existence of a license agreement,  
20 you made the assumption that the building that you were  
21 buying into was not going to be a Trump building; is  
22 that correct?

23 MR. TURKEL: Object to form.

24 A. Yes.

25 BY MS. VALIENTE:

1 if he had stood up on that platform and said, I'm happy  
2 to be here in Tampa; I love Tampa; it's going to be a  
3 great building, and I love my licensee, I would have  
4 enjoyed the rest of the evening on a social basis. And  
5 then the next morning I would have been beating my feet  
6 out of this deal. It's just -- a Trump licensed  
7 building to me is not a Trump building building.

8 Q. Well, you don't know that, though, because  
9 you don't know whether his other Trump buildings has  
10 been licensed -- under license agreements, do you?

11 A. You don't know what my feeling is and my  
12 wife's feeling is, and you couldn't possibly know.  
13 That's what we are basing this on. Not whether do I  
14 know if something built in California was a Trump  
15 building or a license agreement, or something built in  
16 Chicago was a Trump building or a license agreement.  
17 Those things don't matter to me from the standpoint  
18 that the only transaction I have is Trump Tower Tampa,  
19 and I know that Mr. Trump was not forthcoming and not  
20 up front with us when we invested into this building.

21 Because he was not up front with us, I feel  
22 that -- we can use whatever we want, bait and switch,  
23 fraud, deceit, covert, because of the fact that this  
24 license agreement also had confidentiality agreement  
25 that we were not supposed to know about. If these two

1 Q. How can you make that assumption when you  
2 don't know what Mr. Trump's involvement was in his  
3 other buildings that are considered Trump buildings?

4 MR. TURKEL: Object to form.

5 A. I can make that assumption because this is  
6 the only one that's important to me. My wife and I had  
7 substantial money involved in this, and that was  
8 important to us, and we were not going to get what we  
9 were paying for.

10 BY MS. VALIENTE:

11 Q. But as we talked about earlier, what was  
12 important to you was that the building actually looked  
13 like a Trump building; that the quality of the building  
14 -- because as you said, you know, the Trump building  
15 has value. It was important for you that the building  
16 be of the standard of a Trump building; is that  
17 accurate?

18 MR. TURKEL: Object to form.

19 A. Correct.

20 BY MS. VALIENTE:

21 Q. What makes you believe that that would not  
22 have been the case had the building been built?

23 A. When Mr. Trump had presented himself here in  
24 Tampa in front of the mayor, in front of me and my  
25 wife, and from what I read now, 600 or so other people,

1 individuals didn't sue each other, we wouldn't have  
2 known.

3 Q. You said you read the license agreement. Did  
4 you -- do you remember seeing anything in that license  
5 agreement that talked about -- let me rephrase that.  
6 Is it your understanding -- based on your reading of  
7 the license agreement, is it your understanding that  
8 all Mr. Trump did was give SimDag its name and that was  
9 it?

10 MR. TURKEL: Object to form.

11 A. No. Mr. Trump invested in the building, and  
12 he was going to, again, share in expenses and share in  
13 the profits, and he was going to take profits out of  
14 the building in two different ways. Profits on,  
15 basically, what was sold, and he was also going to take  
16 fees out under the licensing agreement.

17 Q. And you read -- I'm sorry. I just want to be  
18 clear. You read every single page of the license  
19 agreement?

20 A. Yes, I did.

21 Q. So is it your understanding of the license  
22 agreement that other than what you just described, that  
23 he had no other responsibility with respect to the  
24 project?

25 MR. TURKEL: Object to the form.

1 A. He did say because it was his name he wanted  
2 to be sure that SimDag-RoBEL lived up to that name.  
3 BY MS. VALIENTE:

4 Q. Well, isn't it true, Mr. Robbins -- doesn't  
5 the license agreement specifically say that Mr. Trump  
6 is going to review the plans and specifications and  
7 ensure that the building that's built meets the Trump  
8 standard?

9 MR. TURKEL: Object to form.

10 A. Yes.

11 BY MS. VALIENTE:

12 Q. I'm sorry. The answer to the question was  
13 yes?

14 A. Yes.

15 Q. Isn't that what you and your wife were  
16 concerned about? Doesn't the license agreement  
17 specifically say that Mr. Trump is going to ensure that  
18 what you and your wife were concerned about was  
19 fulfilled; that the building looked like a Trump  
20 building?

21 MR. TURKEL: Object to the form.

22 A. My concern is I don't like being lied to, and  
23 Mr. Trump and his organization not being up front.  
24 Again, I just have to go back, and I would say it here,  
25 and I would say it in front of a judge, and I would say

1 BY MS. VALIENTE:

2 Q. What is the other thing or other things if  
3 there are more than one?

4 A. Just to be up-front about how the entire deal  
5 was put together. In other words, coming into town as  
6 a partner investing in the building, sharing in the  
7 profits. The entire way the thing was put together, to  
8 me, was just underhanded. Just be up-front with me and  
9 let me make a well-informed decision.

10 I don't think I can make a well-informed  
11 decision without having all of the facts and having to  
12 wait years and having those facts come out because  
13 SimDag and Trump got into a fight with one another and  
14 then because Trump sues because he was not being paid  
15 his fees and SimDag sued because he broke the  
16 confidentiality agreement. And, you know, a number of  
17 people were left here as broken bodies because these  
18 guys are fighting over large amounts of money while the  
19 little guy is sitting here with nothing. We don't  
20 have -- as I sit here today, I do not have the Trump  
21 Tower condominium unit 1802, which would give me the  
22 same view that I'm looking at over my shoulder right  
23 now. I don't have that. I don't have my -- half of my  
24 deposit. I have nothing.

25 Q. Okay. Well, then is it fair to say your

1 it in front of a jury that he was not up front with us.  
2 And I would not -- as I mentioned, my wife and I are  
3 from blue collar backgrounds.

4 We would not take this type of money and put  
5 it in this type of transaction, and that's what I'm  
6 going to call it a transaction, whether it's the  
7 licensing agreement or not. It can be the same  
8 building, but he was not up front with me and my wife  
9 and others. To me there is just something lacking in  
10 that.

11 Q. But what I'm asking you is, isn't it correct  
12 that under the terms of the licensing agreement  
13 Mr. Trump promised to accomplish exactly what you and  
14 your wife expected to be done -- is that the building  
15 when completed would look like a Trump building; isn't  
16 that correct?

17 MR. TURKEL: Object to the form.

18 A. Yes.

19 BY MS. VALIENTE:

20 Q. So is it fair to say when you talk about  
21 being lied to, what you are referring to is just the  
22 failure to use the term "license agreement." Is that  
23 fair?

24 MR. TURKEL: Object to form.

25 A. That's one thing.

1 problem is that the building didn't actually get built?

2 MR. TURKEL: Object to the form.

3 A. That's one of the problems.

4 BY MS. VALIENTE:

5 Q. Well, if the building had been built and it  
6 looked like everything that you had believed the  
7 building would look like and it was Trump Tower Tampa,  
8 and it looked like your concept of the Trump building,  
9 would you be living there right now?

10 MR. TURKEL: Object to form.

11 A. If I could have gotten out of the deal and  
12 gotten everything I paid into it, no.

13 BY MS. VALIENTE:

14 Q. Why?

15 A. You just have to understand me. I'm a  
16 principle person, and this is the way I live my life.  
17 You know, he was not up-front with me, and I would not  
18 have moved into the billing, no. If it was complete  
19 and someone said to me you can have all of your money  
20 back or you can move into this building and it's  
21 exactly the way it was supposed to be, no, I would not  
22 have moved in, no.

23 Q. Okay. And you wouldn't have moved in just  
24 simply because the arrangement was a license  
25 agreement and not some other type of

1 arrangement?  
 2 MR. TURKEL: Object to the form.  
 3 A. Will you say that again, please?  
 4 BY MS. VALIENTE:  
 5 Q. You're saying if the building had been  
 6 completed, if it looked like a Trump building, you  
 7 still wouldn't have moved in; and is the reason you are  
 8 saying that was you weren't told that the specific  
 9 arrangement between Mr. Trump and SimDag was a license  
 10 arrangement?  
 11 MR. TURKEL: Object to the form.  
 12 A. This was going to be my home. I was going to  
 13 come here every day, stay here, spend pretty much the  
 14 rest of my life in this building, and that would always  
 15 be gnawing at the back of my mind. Again, this is me  
 16 and the way I am.  
 17 No, I would not have moved into the building.  
 18 It could be there -- I could look at it right now and  
 19 have no regrets that I didn't move into the building  
 20 because he was not up-front with me and that's just the  
 21 way I am.  
 22 BY MS. VALIENTE:  
 23 Q. Okay. There is something else I want to  
 24 clarify. Is it your belief that the building didn't  
 25 get built because of the lawsuit between Mr. Trump and

1 the University of Florida, and I think his name was  
 2 Dr. Creps. He came in and they determined that by  
 3 putting in, approximately, 11-foot thick concrete  
 4 platforms over the top of caissons, it could solve the  
 5 problem.  
 6 Q. Do you know whether the problem ever got  
 7 solved?  
 8 A. I knew they were working on the problem and  
 9 whether or not those platforms were actually put in, I  
 10 don't know. I'm not sure what the time frame -- the  
 11 timeline is now from that until when Mr. Trump filed  
 12 his lawsuit.  
 13 Q. Do you remember reading a story that the soil  
 14 issues caused an increase in the construction costs for  
 15 the building?  
 16 A. Correct.  
 17 Q. You remember reading that?  
 18 A. Well, let me back up. If I didn't read it,  
 19 logic would tell me that the fact that they have to do  
 20 this additional work, it's going to be additional  
 21 money, yes.  
 22 Q. So why are you -- let me rephrase that.  
 23 Isn't it just as probable that the reason the building  
 24 didn't get built was because of soil problems had led  
 25 to increased construction costs, which had nothing to

1 SimDag?  
 2 A. Well, Mr. Trump could pull his name out for  
 3 three specific reasons, but -- and he did pull his name  
 4 out because SimDag wasn't paying him his fees. So I  
 5 would say that's a large part of why the building  
 6 didn't get built.  
 7 As soon as the Trump name was off the  
 8 building, he would pull his name out because 70 percent  
 9 of the units weren't sold. He could pull his name out  
 10 because they didn't break ground within 18 months, and  
 11 he could pull his name out if they weren't paying him,  
 12 and he did. So at that point I think it was a death  
 13 note.  
 14 Q. Well, the lawsuit happened in May 2007. Do  
 15 you remember prior to that period of time hearing about  
 16 problems that the building was having?  
 17 A. Yes. There were problems with the soil.  
 18 Caissons were being driven into the ground. And,  
 19 again, while I was here I could see -- and I was happy  
 20 at that time based on what I knew, I could see activity  
 21 there. I could see the large crane and actually people  
 22 working there. I was happy about that. Then I read  
 23 that they ran into a problem that -- again, layman's  
 24 terms, soft spots within the soil.  
 25 SimDag contacted a geologist from, I believe,

1 do with the lawsuit between Mr. Trump and SimDag?  
 2 MR. TURKEL: Object to the form.  
 3 A. I don't know that. I couldn't answer that.  
 4 BY MS. VALIENTE:  
 5 Q. Right. You don't know that, correct?  
 6 MR. TURKEL: Object to the form.  
 7 A. Right.  
 8 BY MS. VALIENTE:  
 9 Q. When the lawsuit was -- when Mr. Trump filed  
 10 the lawsuit against SimDag, there was a lot of  
 11 publicity in the paper about it, correct?  
 12 A. Yes. Some.  
 13 Q. Okay. You don't remember reading any  
 14 articles that talked about the fact that Mr. Trump was  
 15 actually trying to help -- even after the lawsuit was  
 16 filed, actually trying to help SimDag get financing for  
 17 the building?  
 18 A. I didn't read that, and I don't know that  
 19 Mr. Trump was helping to get financing. I know  
 20 Mr. Trump did say for him this building was not a big  
 21 deal. It was a small -- I think he referred to it as a  
 22 small building in Tampa that he could pay for out of  
 23 his back pocket.  
 24 Q. Let's move to the next exhibit. This is a  
 25 copy for you. Let me hand you Exhibit No. 9, and then

1 I'm going to also -- like we have done before, I'm  
2 going to hand you an unmarked document. The unmarked  
3 document, do you recognize that as a document that came  
4 from your personal files?

5 (Exhibit No. 9 was marked for  
6 identification.)

7 A. Yes.

8 BY MS. VALIENTE:

9 Q. Can you confirm what we have marked as  
10 Exhibit 9 is a copy of that unmarked document?

11 A. Yes.

12 Q. This looks like a printout from the TBO.com  
13 Web site. Did you print this out yourself?

14 A. I'm going to say, yes, I did.

15 Q. Do you remember when you printed this out?

16 A. No. I think probably pretty close to the  
17 publish date because if I did this in Connecticut -- as  
18 I said, I read the Times and the Tribune online. If I  
19 read the article at that time, I would have printed it  
20 at that time.

21 Q. Do you remember reading this article?

22 A. Yes.

23 Q. Okay. Do you remember whether you read it  
24 before you signed the license agreement?

25 MR. TURKEL: Object to form. I'm sort of

1 taped onto a white document. Do you know who actually  
2 cut out the article from the newspaper?

3 A. Yes, I did.

4 Q. I see on the top of the document there is  
5 like a small piece of paper that has been taped on it  
6 that looks like it has typing on it that says:  
7 St. Pete Times, business section, February 17, 2005.  
8 Did you type that out?

9 A. Yes, I did.

10 Q. Okay. And you taped that on the top of the  
11 document?

12 A. Yes.

13 Q. How did you get this newspaper article?

14 A. Because I actually have the article, I'm  
15 going to say that I was in Tampa and actually got a  
16 copy of the paper.

17 Q. Did your wife have a subscription to the  
18 St. Pete Times that you received here in Tampa?

19 A. No. Catherine Gauze did.

20 Q. Did you?

21 A. My wife wasn't living in Tampa full time at  
22 that time. She was just here for business between here  
23 and Connecticut.

24 Q. But you said if you have -- the fact that you  
25 have the original newspaper article means you actually

1 sure my guy never signed the license agreement.

2 BY MS. VALIENTE:

3 Q. I'm sorry. Do you know whether you read this  
4 before you signed your purchase agreement?

5 A. No, I do not.

6 Q. Let's move on. I'm going to hand you what we  
7 have marked as Exhibit 10. For the record it's Bates  
8 No. P00505 and P00506. Then like before, I'm going to  
9 hand you an unmarked document that is clippings from a  
10 newspaper that is taped to the front and back of the  
11 document. First, do you recognize the unmarked  
12 document as a document that came from your personal  
13 files?

14 (Exhibit No. 10 was marked for  
15 identification.)

16 A. Yes.

17 BY MS. VALIENTE:

18 Q. Can you confirm that what we have marked as  
19 Exhibit 10 is a photocopy of the unmarked document that  
20 you are also looking at?

21 A. Yes.

22 Q. Actually, can I see those two real quick?

23 A. (Witness complies.)

24 Q. Do you know who cut out -- it looks like the  
25 document is an article from a newspaper that has been

1 physically got the paper in February of 2005?

2 A. Correct. Because I think February 18th was  
3 the date of the appearance by Donald Trump here, I  
4 believe.

5 Q. So is this a clipping from Catherine Gauze's  
6 newspaper?

7 A. Either at that time we were staying at  
8 Catherine's condo with her or we were staying at the  
9 Sheraton on Cypress. It was either Catherine's paper  
10 or I bought the paper. Either way.

11 Q. Do you remember actually reading this  
12 article?

13 A. Yes.

14 Q. Did you read it before you signed your  
15 purchase agreement?

16 A. I'm not sure because I can't remember -- the  
17 answer to these questions is I can't remember when I  
18 actually signed the purchase agreement.

19 Q. Okay. Let's see, because the purchase  
20 agreement we have is dated in August 2005.

21 A. Therefore, I would have read this before I  
22 signed.

23 Q. Okay. Let's -- I want to take a look at some  
24 of the statements in this article. If you look at --  
25 on the first page, and I'm going to refer to the copy.



1 This is Bates No. P00505. That's the first page of the  
2 article. If you look there are three columns on the  
3 front page?

4 A. Yes.

5 Q. If you look at the second column three  
6 paragraphs down where it starts with Howell and  
7 Sheppard -- do you see where I'm pointing to?

8 A. Yes.

9 Q. It says: "Howell and Sheppard had found a  
10 promising parcel along the Hillsborough River in the  
11 heart of downtown."

12 A. Yes.

13 Q. Then if you look over to the next column at  
14 the end of the second paragraph, the last sentence  
15 there it says: "Their proposal: A 52-story luxury  
16 condo project on 1.5 acres." Do you see where it says  
17 that?

18 A. Yes.

19 Q. Then at the very end of the third column on  
20 the front page it says, the last sentence: "At one  
21 weekly meeting, Dagostino, at 34 the youngest of the  
22 group rationally suggested, What if we call it Trump  
23 Tower?" Do you see that?

24 A. Yes.

25 Q. Then it goes on to say: "The partners

1 A. "Then it was just a matter of the deal making  
2 its way through the details, said Simon, managing  
3 partner of SimDag, LLC."

4 "For the next several months, there were  
5 nearly daily phone contact between the local developers  
6 and Trump's senior counsel and property management  
7 team. Trump representatives flew down on several  
8 occasions to walk the site and meet with the project's  
9 architect, contractors, and marketers.

10 "Once they came to terms on an agreement,  
11 Trump's people didn't hesitate to tweak SimDag-RoBEL's  
12 initial plans: Adjusting the traffic flow through the  
13 lobby, approving high-end finishes and fixtures,  
14 helping to design everything from elevator entrances to  
15 the wine cellar to the guest suites.

16 "Among the amenities added for residents with  
17 professional-grade kitchens but no time or interest in  
18 cooking; computer-touch screens in each condo that  
19 allow owners to reach the building's concierge and  
20 valet, as well as order room service from the  
21 restaurant on the ground level."

22 Q. So, Mr. Robbins, it's fair to say these  
23 paragraphs tell you that Mr. Trump did have a  
24 significant involvement in the final plans for the  
25 billing, correct?

1 laughed, left, and returned a week later convinced it  
2 wasn't such a dumb idea after all. Through some of  
3 Dagostino's real estate contacts in New Jersey, they  
4 sent out feelers to the Trump Organization." Do you  
5 see where the article says that?

6 A. Yes.

7 Q. Now, so you would agree that this document  
8 tells you that this was not Mr. Trump's concept. This  
9 was SimDag's concept; is that correct?

10 MR. TURKEL: Object to the from.

11 A. Correct.

12 BY MS. VALIENTE:

13 Q. Then on the second page, which is P00506, if  
14 you look -- again, there are three columns on that  
15 page. If you look at the first column on the far left,  
16 it's about the paragraph that starts -- it's six  
17 paragraphs down. It starts: "Then it was just" -- do  
18 you see that?

19 A. Right.

20 Q. Just if you could read starting there and  
21 then ending three paragraphs down where the last  
22 sentence says: "From the restaurant on the ground  
23 level" -- do you see that?

24 A. Yes.

25 Q. Can you read out loud that section, please?

1 MR. TURKEL: Object to form.

2 A. Well, I think it's also fair to tell you that  
3 I read Mr. Trump's deposition also.

4 BY MS. VALIENTE:

5 Q. No. I mean, I'm asking you about what is in  
6 this article that you read before you signed this  
7 purchase agreement.

8 A. That's fair.

9 Q. What it says here is it's telling you that  
10 Mr. Trump had a role in the final design of the  
11 project, correct?

12 MR. TURKEL: Object to the from.

13 A. Yes. It says terms as far as traffic flow,  
14 elevators, and fixtures/finishes. As it says here:  
15 Helping to design everything from elevator entrances to  
16 wine cellar to guest suites. So, yes, he had  
17 involvement.

18 BY MS. VALIENTE:

19 Q. So if Mr. Trump had involvement in the  
20 building -- or given what it says in this article about  
21 his involvement, if the article had also said the  
22 arrangement between Mr. Trump and SimDag is a license  
23 agreement, even with the level of involvement that's  
24 described in this article, you are saying that you  
25 would not have purchased a unit?

1 MR. TURKEL: Object to form.  
2 A. You are asking me to discount the fact that  
3 they were not up-front with me in the beginning. Had  
4 they been up-front with me in the beginning, then allow  
5 me at that time to make my own decision: Do I want to  
6 go forward or not? But they were not up-front with me  
7 in the beginning.

8 Again, Mr. Trump could have put gold toilets  
9 in this building for the same price and I would not  
10 have moved in or gone forward. It's just the way it  
11 is. You are asking me to discount the person that  
12 I am and how I feel about things, and I can't do  
13 that.

14 BY MS. VALIENTE:

15 Q. All right. I think I understand. So if  
16 everything -- keeping everything the same, if somebody  
17 had told you at the very beginning -- if somebody had  
18 handed you a copy of the license agreement and you had  
19 read it before you signed your purchase agreement,  
20 would you have purchased a unit?

21 MR. TURKEL: Object to form.

22 A. I can't say because that's not the case.  
23 That's a what if. I would have given it serious  
24 thought. I would have read over everything, and then I  
25 would have made an informed decision based on all of

1 A. Yes.  
2 Q. What is it?  
3 A. It was the -- an invitation to meet Donald  
4 Trump and the development team of Trump Tower Tampa.

5 Q. Is this the event that we were discussing  
6 earlier?

7 A. Correct.

8 Q. Let's move to the next exhibit. I'm going to  
9 hand you what I have marked as Exhibit 12. Just for  
10 the record, it has got a Bates P00509 through P00511.

11 Then as before I'm going to hand you an  
12 unmarked document that looks like another set of  
13 clippings from a newspaper article that has been pasted  
14 on some white paper. The first page has got an article  
15 pasted on the front and back.

16 First, Mr. Robbins, if you can tell me, the  
17 unmarked document, do you recognize that as a document  
18 that came from your personal files?

19 (Exhibit No. 12 was marked for  
20 identification.)

21 A. Yes.

22 BY MS. VALIENTE:

23 Q. Can you confirm that the document we have  
24 marked as Exhibit 12 is a copy of the unmarked  
25 document?

1 the information that I had and that I knew, but  
2 it's difficult for me to say now if that's the  
3 case.

4 BY MS. VALIENTE:

5 Q. But you might have signed a purchase  
6 agreement if you had had a copy of the license  
7 agreement beforehand?

8 MR. TURKEL: Object to form.

9 A. I may have. I may not have.

10 BY MS. VALIENTE:

11 Q. Okay. Let's move on to the next exhibit.  
12 Ken, here is a copy of the next one.

13 Mr. Robbins, I'm going to hand you what I  
14 have marked as Exhibit 11. As I've done before, I'm  
15 going to hand you an unmarked document. Now, looking  
16 at the unmarked document, do you recognize that as the  
17 document that came from your personal files?

18 (Exhibit No. 11 was marked for  
19 identification.)

20 A. Yes.

21 BY MS. VALIENTE:

22 Q. Then can you confirm that what we have marked  
23 as Exhibit 11 is a copy of that unmarked document?

24 A. Yes.

25 Q. Do you recognize that document?

1 A. Yes.

2 Q. Mr. Robbins, do you remember -- first, I see  
3 that as with the prior document there is -- on the top  
4 of the first page, there is some typed writing that  
5 says the Tampa Tribune and the Tampa Times and  
6 underneath February 19th, 2005. Did you type that?

7 A. Yes, I did.

8 Q. If you look on the second page and on the  
9 copy, it's P00510. Do you see there is some typing on  
10 that page, too, on the lower right-hand corner of the  
11 document?

12 A. Correct.

13 Q. Did you type that?

14 A. Yes, I did.

15 Q. Why did you type that out?

16 A. Just so that I could look at it real quickly,  
17 get a synopsis of what was said here if I didn't want  
18 to read the whole article when I went back and looked  
19 at it at some future point in time.

20 Q. Okay. When did you type this?

21 A. Well, the date of the newspaper is the day  
22 after the function that was here that Mr. Trump held,  
23 and I was here. I'm going to say that I did that when  
24 I was back in Connecticut. I would have been here for  
25 the weekend for this.

1 Q. The typing on the second page, do you recall  
 2 was that -- did you type that out in 2005?  
 3 A. Yes.  
 4 Q. Now, how did you receive this  
 5 newspaper?  
 6 A. Again, I was in Tampa and Catherine  
 7 subscribes to the St. Pete Times. This being the  
 8 Tribune -- I think I may have just bought a copy of the  
 9 Tribune, and I may have bought it just because of the  
 10 pictures and the articles.  
 11 Q. And you are the one that cut out the articles  
 12 and pasted it?  
 13 A. Yes.  
 14 Q. And you did that close in time to  
 15 February 19th, 2005?  
 16 A. Yes.  
 17 Q. And as you said, this was the day after the  
 18 event that you attended with your wife where Mr. Trump  
 19 was present, correct?  
 20 A. Correct.  
 21 Q. Let's move on. I'm going to hand you what we  
 22 have marked as Exhibit 13. Then as before I'm handing  
 23 you an unmarked document. First, if you could take a  
 24 look at the unmarked document. Is that a document you  
 25 recognize as coming out of your file?

1 your purchase agreement?  
 2 A. Yes.  
 3 Q. You are certain?  
 4 A. Well, if I signed in August of 2005 and this  
 5 is January, I'm saying yes.  
 6 Q. Okay. Let's move on to the next exhibit.  
 7 Ken, here is a copy.  
 8 I'm going to hand you what I have marked as  
 9 Exhibit 14 and then another unmarked document. If you  
 10 could look at the unmarked document, do you recognize  
 11 that as a document that came from your files?  
 12 (Exhibit No. 14 was marked for  
 13 identification.)  
 14 A. Yes.  
 15 BY MS. VALIENTE:  
 16 Q. That's another newspaper article that has  
 17 been taped on white paper, correct?  
 18 A. Correct.  
 19 Q. Can you confirm that Exhibit 14 is a copy of  
 20 the unmarked document?  
 21 A. Yes.  
 22 Q. Then it looks like this is a document from  
 23 the Tampa Tribune dated February 19th, 2005. Do you  
 24 remember how you received this document?  
 25 A. Yes. Again, I know I was in town because it

1 (Exhibit No. 13 was marked for  
 2 identification.)  
 3 A. Yes.  
 4 BY MS. VALIENTE:  
 5 Q. Then can you confirm that the document that  
 6 we have marked as Exhibit 13 is a copy of the unmarked  
 7 document?  
 8 A. Yes.  
 9 Q. Do you recognize this document?  
 10 A. Yes.  
 11 Q. What is it?  
 12 A. It's an article that was in the St. Pete  
 13 Times that Catherine Gouze sent to me via e-mail.  
 14 Q. Do you remember when she sent this to you?  
 15 A. Not exactly, but I'm going to say it would be  
 16 close to the day of the newspaper article. There  
 17 wouldn't be a reason to wait a lengthy period of time  
 18 afterwards.  
 19 Q. Did you read this article when you received  
 20 it?  
 21 A. In the newspaper?  
 22 Q. In the e-mail?  
 23 A. Yes, I did.  
 24 Q. If you signed your purchase agreement in  
 25 August of 2005, did you read this before you signed

1 was the day after the function next door.  
 2 Q. Okay. You are staying -- when you were here  
 3 to attend the event on February 18th, you were staying  
 4 with Ms. -- how do you pronounce her name again?  
 5 A. Gauze.  
 6 Q. So when you were here for the event on  
 7 February 18th, 2005, you were staying with Ms. Gouze?  
 8 A. No. For some reason, I -- it rings a bell  
 9 that we were staying at the Sheraton.  
 10 Q. So is this a newspaper that you went out and  
 11 purchased that day on the 19th? Do you recall?  
 12 A. Yes. I'm going to say that again because  
 13 Catherine doesn't get the Tribune.  
 14 Q. And you were the person that cut out the  
 15 article and pasted it on the paper?  
 16 A. Yes.  
 17 Q. If you signed your purchase agreement in  
 18 August of 2005, did you read this article before you  
 19 signed the purchase agreement?  
 20 A. Yes.  
 21 Q. You are certain?  
 22 A. Yes.  
 23 Q. Okay. I'm going to hand you what I have  
 24 marked as Exhibit 15 along with another unmarked  
 25 document and a copy to counsel. If you could look at

1 the unmark document. Do you recognize that as the  
 2 document that came from your personal files?  
 3 (Exhibit No. 15 was marked for  
 4 identification.)  
 5 A. Yes.  
 6 BY MS. VALIENTE:  
 7 Q. If you could take a look at the document that  
 8 we marked as Exhibit 15, can you confirm that the  
 9 unmarked -- that Exhibit 15 is a copy of the unmarked  
 10 document?  
 11 A. Yes.  
 12 Q. And, again, that is a newspaper article that  
 13 has been cut out and, again, taped on a white paper,  
 14 correct?  
 15 A. Yes.  
 16 Q. Were you the one who cut out the article and  
 17 taped it?  
 18 A. Yes.  
 19 Q. Again, there is typed writing on the first  
 20 page that on Exhibit 15 is Bates labelled P00517. At  
 21 the very top it says the St. Pete Times, and then  
 22 underneath it says Saturday, February 19th, 2005. Did  
 23 you type that?  
 24 A. Yes.  
 25 Q. On the second page where it's Bates labelled

1 document that came from your personal files?  
 2 (Exhibit No. 16 was marked for  
 3 identification.)  
 4 A. Yes.  
 5 BY MS. VALIENTE:  
 6 Q. Can you confirm that the document that we  
 7 have marked as Exhibit 16 is a copy of the unmarked  
 8 document?  
 9 A. Yes.  
 10 Q. Did you cut -- were you the one that cut out  
 11 the newspaper article and taped it on the paper?  
 12 A. Yes.  
 13 Q. Do you remember -- I don't see a date on the  
 14 clipping. Do you remember when this article was  
 15 published?  
 16 A. I'm going to say just based on the pictures  
 17 and the fact that it's Mr. Trump and his wife and it's  
 18 here in Tampa, it would have been after February 18th  
 19 so -- perhaps, the 19th.  
 20 Q. And if your purchase agreement was signed in  
 21 August 2005, do you know whether you read this article  
 22 before you signed the purchase agreement?  
 23 A. Yes.  
 24 Q. Yes, you did read it before you signed the  
 25 purchase agreement?

1 P00518, again, there is some more typed writing that  
 2 says synopsis and has got five statements. Did you  
 3 type that?  
 4 A. Yes, I did.  
 5 Q. When did you type that? Do you recall?  
 6 A. It would be shortly after this date when I  
 7 was back in Connecticut.  
 8 Q. So the date that you typed out Saturday,  
 9 February 19th, 2005, is that the date of the  
 10 newspaper -- is that the day of the newspaper where  
 11 this article appeared?  
 12 A. Yes. Again, that's the day after Mr. Trump  
 13 appeared here.  
 14 Q. So if you -- do you remember actually reading  
 15 this article?  
 16 A. Yes.  
 17 Q. If you signed your purchase agreement in  
 18 August 2005, do you remember reading this before you  
 19 signed your purchase agreement?  
 20 A. Yes.  
 21 Q. The next exhibit. Let me hand you what I  
 22 have marked as Exhibit 16 along with the unmarked  
 23 document with a copy to counsel.  
 24 Mr. Robbins, can you look at the unmarked  
 25 document? Do you recognize the unmarked document as a

1 A. Yes.  
 2 Q. You are certain?  
 3 A. Yes. Why I cut this out, I don't know. I  
 4 mean I don't see anything of real particular value  
 5 other than I was just collecting things.  
 6 Q. But this happened close in time to when you  
 7 read it in the paper? Let me rephrase that.  
 8 You cut out the article close in time to when  
 9 you -- to when the article was published in the paper?  
 10 A. Yes. I didn't go back and do that, yes.  
 11 Q. Okay. Let's move on. Mr. Robbins, I'm going  
 12 to hand you what I have marked as Exhibit 17 along with  
 13 another unmarked document and a copy to counsel. Can  
 14 you look at the unmarked document and tell me do you  
 15 recognize that as the document that came from your  
 16 personal files?  
 17 (Exhibit No. 17 was marked for  
 18 identification.)  
 19 A. Yes.  
 20 BY MS. VALIENTE:  
 21 Q. If you could look at what we have marked as  
 22 Exhibit 17, can you confirm that Exhibit 17 is a copy  
 23 of the unmarked document that you have next to you?  
 24 A. Yes.  
 25 Q. It is a copy?

1 A. Yes.  
 2 Q. Let's move on to the next exhibit. I'm going  
 3 to hand you what I have marked as Exhibit 18, which is  
 4 a newspaper article taped on a white piece of paper.  
 5 Ken, here is a copy.  
 6 Mr. Robbins, if you could look at the  
 7 unmarked document. Do you recognize that as a document  
 8 that came from your personal files?  
 9 (Exhibit No. 18 was marked for  
 10 identification.)  
 11 A. Yes.  
 12 BY MS. VALIENTE:  
 13 Q. Were you the one who cut out the articles and  
 14 taped it on the paper?  
 15 A. Yes.  
 16 Q. If you see there is a typed portion at the  
 17 very top. Again, it says synopsis and is followed by  
 18 four numbered statements. Were you the one that typed  
 19 this out?  
 20 A. Yes.  
 21 Q. Was this close in time to when you -- when  
 22 the article was published in the paper?  
 23 A. Yes. I don't see a date on it, but whenever  
 24 it was -- as I said, I didn't go back and archive this  
 25 stuff by getting a bunch of older newspapers and doing

1 the document has three columns of the article. Then  
 2 the column that is on the left-hand side, it looks like  
 3 it was cut off. It doesn't look like this is the  
 4 entire article. Do you remember -- did you not cut out  
 5 the entire article or is there another page that we are  
 6 missing?  
 7 A. I really couldn't say at this time.  
 8 Q. Mr. Robbins, I'm going to hand you what I  
 9 have marked as Exhibit 19. Sorry. Let me take a look  
 10 at this real quick. Ken, here an is a copy.  
 11 Here is what we have marked as Exhibit 19 and  
 12 then an unmarked document. Again, the unmarked  
 13 document is a newspaper article that has been taped on  
 14 some white paper. Mr. Robbins, looking at the unmarked  
 15 document, do you recognize that as a document that came  
 16 from your files?  
 17 (Exhibit No. 19 was marked for  
 18 identification.)  
 19 A. Yes.  
 20 BY MS. VALIENTE:  
 21 Q. Can you confirm that what we have marked as  
 22 Exhibit 19 is a copy of the unmarked document?  
 23 A. Yes.  
 24 Q. And do you recall -- were you the person that  
 25 cut out the article and taped it on the paper?

1 this. So whenever I did this was pretty close to  
 2 realtime.  
 3 Q. Okay. Can you confirm that the exhibit that  
 4 we have marked as Exhibit 18 is a copy of the unmarked  
 5 document?  
 6 A. Yes.  
 7 Q. This doesn't have a date on it. Do you  
 8 recall when you first saw this article?  
 9 A. Because Mr. Trump is making reference to The  
 10 Apprentice and the topic, I'm going to say this was  
 11 after his visit here to Tampa.  
 12 Q. And if you signed the purchase agreement in  
 13 August 2005, do you remember reading this document  
 14 before you signed the purchase agreement?  
 15 A. I don't know for sure what the date of this  
 16 was, but if it was around the time of Mr. Trump's  
 17 visit, then I would have read it prior to signing, yes.  
 18 Q. But you don't know for sure when this article  
 19 was published, correct?  
 20 A. I can't say for sure since there isn't a date  
 21 on this, no.  
 22 Q. Can I see the original real quick?  
 23 A. (Witness complies.)  
 24 Q. Mr. Robbins, if you will look on the -- do  
 25 you see there are three columns -- the bottom half of

1 A. Yes.  
 2 Q. That's your typing on the top where it says  
 3 St. Pete Times, January 24th, 2005?  
 4 A. Yes.  
 5 Q. Is the date that you typed -- is that the  
 6 date that the article appeared in the paper?  
 7 A. Yes.  
 8 Q. Do you remember actually reading this  
 9 article?  
 10 A. Yes.  
 11 Q. Now, if you -- if your purchase agreement was  
 12 signed in August 2005, do you know whether you read  
 13 this before you signed the purchase agreement?  
 14 A. Yes.  
 15 Q. You are certain?  
 16 A. Yes.  
 17 Q. Mr. Robbins, I'm going to hand you what I  
 18 have marked as Exhibit 20 and also an unmarked  
 19 document. Ken, here is a copy.  
 20 Looking at the unmarked document, do you  
 21 recognize that as a document that came from your  
 22 personal files?  
 23 (Exhibit No. 20 was marked for  
 24 identification.)  
 25 A. Yes.

1 BY MS. VALIENTE:  
 2 Q. If you look at what we have marked as  
 3 Exhibit 20, can you confirm that Exhibit 20 is a copy  
 4 of an unmarked document?  
 5 A. Yes.  
 6 Q. It looks like the article is dated  
 7 January 17, 2005. Do you recall was this part of the  
 8 newspaper that you actually looked at  
 9 January 17th, 2005?  
 10 A. Yes.  
 11 Q. So did you see that while you were down here  
 12 for the event on the 18th?  
 13 A. No. This was a month prior. The event was  
 14 February.  
 15 Q. So how did you get this newspaper clipping?  
 16 Do you recall?  
 17 A. If I physically wasn't here, Catherine would  
 18 have saved it for me, and then I would have just taken  
 19 it from there. I like to read the paper. I read the  
 20 paper every day.  
 21 Q. Did you ask Catherine to save articles for  
 22 you and send them to you?  
 23 A. No, not in particular. She just knows I like  
 24 to read the paper. She didn't save every single paper  
 25 for me when I wasn't here. She would save some and

1 that paragraph to yourself real quick?  
 2 A. Read it out loud or to myself?  
 3 Q. To yourself.  
 4 A. Okay.  
 5 Q. You see they are questioning -- they are  
 6 talking about the drawing of the Trump building. The  
 7 first paragraph is talking about the drawing of the  
 8 Trump building, correct?  
 9 A. Yes.  
 10 Q. They are asking the question -- it says:  
 11 Seeing the drawing made us wonder how many of those  
 12 architectural renderings ever make it off the page. Do  
 13 you see where it says that?  
 14 A. Yes.  
 15 Q. So it's questioning whether buildings like  
 16 this ever get built, correct?  
 17 MR. TURKEL: Object to the form.  
 18 A. Correct.  
 19 BY MS. VALIENTE:  
 20 Q. But reading this -- let me go back. I mean,  
 21 you understand that there is an inherent risk in every  
 22 type of real estate transaction, correct?  
 23 A. Correct.  
 24 Q. So you understood that going into this there  
 25 is always a risk that the building wouldn't get built,

1 toss some, or if she knew I was coming down shortly,  
 2 she would save some.  
 3 Q. Did you save every paper or newspaper  
 4 clipping that Catherine sent you?  
 5 A. She didn't send me any. They would be here,  
 6 and I would get them when I was here. No. I didn't  
 7 save every one, because not every paper she saved for  
 8 me dealt with the topic of Trump.  
 9 Q. Let me just rephrase. Did you -- to the  
 10 extent that she gave you newspaper clippings that dealt  
 11 with the Trump Tower project, did you save all of the  
 12 clippings that she gave you?  
 13 A. I tried to. Whether or not I saved all of  
 14 them, I can't say for sure.  
 15 Q. Actually, if we could go back to that Exhibit  
 16 20 real quick. Do you recall actually reading this?  
 17 A. Yes.  
 18 Q. If you signed the purchase agreement in  
 19 August 2005, did you read this before you signed the  
 20 purchase agreement?  
 21 A. Yes.  
 22 Q. And you are certain?  
 23 A. Yes.  
 24 Q. Looking at the article, it looks like -- you  
 25 see it's entitled "rendered moot." If you could read

1 correct?  
 2 A. Correct.  
 3 Q. All right. Let's move on.  
 4 Here is a copy of the next exhibit.  
 5 Mr. Robbins, I'm going to hand you what I have marked  
 6 as Exhibit 21 and then also an unmarked document. If  
 7 you could take a look at the unmarked document. Is  
 8 that a document you recognize from your personal files?  
 9 (Exhibit No. 21 was marked for  
 10 identification.)  
 11 A. Yes.  
 12 BY MS. VALIENTE:  
 13 Q. And can you confirm that the document that we  
 14 have marked as Exhibit 21 is a copy of the unmarked  
 15 document?  
 16 A. Yes.  
 17 Q. I'm going to show you Exhibit 22 and an  
 18 unmarked document. If you could look at the unmarked  
 19 document and tell me do you recognize that as a  
 20 document that came from your personal files?  
 21 (Exhibit No. 22 was marked for  
 22 identification.)  
 23 A. Yes.  
 24 BY MS. VALIENTE:  
 25 Q. If you can look at what I have marked as

1 Exhibit 22, can you confirm that Exhibit 22 is a copy  
2 of the unmarked document?

3 A. Yes.

4 Q. It looks like there's a -- on the first page  
5 on Exhibit 22, it's Bates No. P00530. On the top  
6 right-hand corner, there is a number three with a  
7 circle around it.

8 A. Right.

9 Q. Is that your writing?

10 A. I'm going to say yes. I'm going to say yes.

11 Q. What does that mean the number three?

12 A. I started to get ahead of myself because I  
13 was anticipating the next question. I have no idea.

14 Q. Okay. It looks like the document is an  
15 e-mail that was forwarded to you from Catherine Gouze.  
16 First, do you know would she forward these e-mails to  
17 you or were they forwarded to your wife?

18 A. She would forward them to me.

19 Q. To your e-mail account?

20 A. Yes.

21 Q. And do you recall when she forwarded this to  
22 you?

23 A. No.

24 Q. Do you recall actually reading this article  
25 that's in this e-mail?

1 Apprentice, catapulted Trump's already substantial name  
2 recognition and turned 'You're Fired' into a national  
3 catch-phrase. It also has solidified Trump's image as  
4 a business icon, although in reality, he has both won  
5 and lost fortunes over the years. Most recently, he  
6 reorganized Trump Hotels & Casino Resorts in bankruptcy  
7 court, emerging with his ownership stake chopped from  
8 47 percent to 27 percent."

9 Q. Again, you remember reading this article,  
10 correct?

11 A. Yes. And I mentioned earlier that I knew  
12 Donald Trump had problems in the gaming industry from  
13 being in New Jersey when I grew up.

14 Q. Sure. I'm handing you what is marked as  
15 Exhibit 23 and an unmarked document. Ken, here is a  
16 copy. If you could take a look at the unmarked  
17 document. Do you recognize that document as something  
18 that came from your personal files?

19 (Exhibit No. 23 was marked for  
20 identification.)

21 A. Yes.

22 BY MS. VALIENTE:

23 Q. Then if you could take a look at what we have  
24 marked as Exhibit 23, can you confirm that Exhibit 23  
25 is a copy of the unmarked document?

1 A. Yes.

2 Q. And if your purchase agreement was signed in  
3 August 2005, do you know whether you read this before  
4 you signed the purchase agreement?

5 A. Based on the January 12, '05, date, yes.

6 Q. Do you know for certain whether you read this  
7 before you signed the purchase agreement?

8 A. Yes.

9 Q. You do?

10 A. Yes.

11 Q. You are certain?

12 A. Yes. I read a lot and, particularly, when  
13 something is of interest to me. Certainly, the Trump  
14 project was of interest to me.

15 Q. If you could take a look at the second  
16 page of the document Bates labeled P00531. If you  
17 look at the last full paragraph on the  
18 page?

19 A. Uh-huh..

20 Q. If you look at the paragraph -- can you read  
21 aloud that full paragraph please?

22 A. Are we talking where it says: "The  
23 popularity"?

24 Q. Yes.

25 A. "The popularity of the reality series, The

1 A. Yes, it is.

2 Q. Do you recall how you received this document?

3 A. I think while I was at home in Connecticut, I  
4 may have found it online and printed it out.

5 Q. Did you actually read the article on this  
6 document?

7 A. Yes.

8 Q. Yes, you did?

9 A. Yes, I did.

10 Q. If you signed your purchase agreement in  
11 August of 2005, do you know whether you read this  
12 before you signed your purchase agreement?

13 A. I don't see a date on this. Oh. It says  
14 posted 2/15/05; so I'm going to say, yes, I read that  
15 before.

16 Q. You are basing that off of where it says  
17 posted 2/15/05, correct?

18 A. Correct.

19 Q. Do you have an independent recollection of  
20 actually reading it before you signed the purchase  
21 agreement?

22 A. I wouldn't print that out and not read it.

23 Q. Okay. I'm going to hand you what I have  
24 marked as Exhibit 24. Do you recognize that document?

25 (Exhibit No. 24 was marked for

1 identification.)  
 2 A. That's my wife's resumé.  
 3 (Brief recess.)  
 4 BY MS. VALIENTE:  
 5 Q. Mr. Robbins, I'm going to hand you what I  
 6 have marked as Exhibit 25.  
 7 (Exhibit No. 25 was marked for  
 8 identification?)  
 9 A. You handed me this before the break, right?  
 10 BY MS. VALIENTE:  
 11 Q. Yes. We're done with that. You said you  
 12 recognized that as your wife's resumé, correct?  
 13 A. Yes.  
 14 Q. That's the letter I received from your  
 15 attorneys, Exhibit 25.  
 16 A. Right.  
 17 Q. If you look at the bottom half of the  
 18 document where it starts -- the paragraph that starts  
 19 Mr. Robbins. If you could read from there to the end  
 20 of the document, and just let me know when you are  
 21 done. Take your time.  
 22 A. Read out loud or on my own?  
 23 Q. Sorry. To yourself.  
 24 A. Okay.  
 25 Q. Then before we started today, your attorney

1 Q. Moving on. Mr. Robbins, I'm going to hand  
 2 you what I have marked as Exhibit 26. These are  
 3 answers to interrogatories that we served on your  
 4 attorney. We received these answers from your  
 5 attorney. If you could take a look at the very last  
 6 page of the document. Is that your signature on the  
 7 last page?  
 8 (Exhibit No. 26 was marked for  
 9 identification.)  
 10 A. It is.  
 11 BY MS. VALIENTE:  
 12 Q. Did you sign this document?  
 13 A. Yes, I did.  
 14 Q. Did you read the answers before you signed  
 15 it?  
 16 A. Yes, I did.  
 17 Q. Okay. I'm going to hand you what I have  
 18 marked as Exhibit 27. Do you recognize that document?  
 19 (Exhibit No. 27 was marked for  
 20 identification.)  
 21 A. Yes, I do.  
 22 BY MS. VALIENTE:  
 23 Q. What is it?  
 24 A. It's a purchase agreement for Trump Tower  
 25 Tampa.

1 Mr. Turkel mentioned there was s slight inaccuracy. If  
 2 you could tell me what that is?  
 3 MR. TURKEL: To be clear, Dan Clark Probably  
 4 told you that because I don't remember talking  
 5 about it.  
 6 MS. VALIENTE: I'm sorry. It was Dan  
 7 Clark.  
 8 BY MS. VALIENTE:  
 9 Q. Go ahead. If you could tell me what the  
 10 inaccuracy of the document is?  
 11 A. Yes. I did not do a tour of duty in Vietnam.  
 12 Was in the active Army during the Vietnam war, but I  
 13 did not go to Vietnam.  
 14 Q. Other than that, is everything else that you  
 15 read accurate?  
 16 A. Correct.  
 17 Q. We can move on.  
 18 A. That's a big issue in Connecticut right now.  
 19 A person running for senate who was the Attorney  
 20 General said he served in Vietnam and he didn't. He  
 21 had to correct it. That's not why I corrected it. I  
 22 corrected it because I'm up-front, and I'm not running  
 23 for anything.  
 24 (Discussion off the record.)  
 25 BY MS. VALIENTE:

1 Q. If I can ask you to turn to -- do you see  
 2 that there is a Bates number on the bottom of the  
 3 document and it says the Toni Everett Company and has  
 4 a number at the bottom? Do you see that?  
 5 A. Yes.  
 6 Q. Could you turn to the page that is 0396?  
 7 A. 0390?  
 8 Q. 0396.  
 9 A. Okay.  
 10 Q. Is that your signature at the bottom of the  
 11 document?  
 12 A. Yes, it is.  
 13 Q. It's dated August 16th, 2005. Is that the  
 14 date that you signed this?  
 15 A. Yes.  
 16 Q. Is that your wife's signature above yours?  
 17 A. Yes.  
 18 Q. And you are familiar with your wife's  
 19 signature, correct?  
 20 A. Yes, I am.  
 21 Q. You have seen her sign documents before?  
 22 A. Yes, I have.  
 23 Q. Now, other than -- did you read this document  
 24 before you signed it?  
 25 A. Yes, I did.



1 Q. And you said you had an attorney read this  
 2 for you as well, correct?  
 3 A. That would be Ms. Gouze, yes.  
 4 Q. But you asked her to read this on your  
 5 behalf?  
 6 A. Well, she had one for herself also, and then  
 7 we discussed it.  
 8 MR. TURKEL: Don't disclose your discussions  
 9 with her regarding any legal advice you sought or  
 10 she gave you concerning the document. It could be  
 11 attorney-client privileged communication.  
 12 BY MS. VALIENTE:  
 13 Q. Just to be clear, was she reviewing this  
 14 document as your attorney?  
 15 MR. TURKEL: You've got to --  
 16 BY MS. VALIENTE:  
 17 Q. Don't tell me what she told you. Was she  
 18 your attorney at the time or was she just a friend?  
 19 I'm trying to understand.  
 20 A. We have never retained her as an attorney for  
 21 which we paid her. She just wouldn't do that.  
 22 Q. Without telling me anything she told you at  
 23 the time that you signed this, were you relying on her  
 24 for legal advice in connection with this purchase?  
 25 A. I think I can say this: If I had a question,

1 A. No, I do not.  
 2 Q. Okay. Do you recognize the handwriting?  
 3 A. No, I do not.  
 4 Q. If you look at the first part of the document  
 5 underneath where it says, "Condominium sale and  
 6 purchase agreement Trump Tower Tampa Condominium."  
 7 That first paragraph --  
 8 A. Yes.  
 9 Q. -- that's capitalized and bolded, can you  
 10 read that paragraph out loud, please?  
 11 A. "Oral representations cannot be relied upon  
 12 as correctly stating the representations of the  
 13 developer. For correct representations, references  
 14 should be made to the agreement and the documents  
 15 required by Section 718.503 Florida Statutes to be  
 16 furnished by a developer to a buyer or lessee." Keep  
 17 going?  
 18 Q. No. That's fine. Mr. Robbins, do you  
 19 remember either asking someone from -- either you or  
 20 your wife asking somebody associated with the  
 21 project -- either you or your wife directly or somebody  
 22 acting on your behalf asking them or -- let me rephrase  
 23 that.  
 24 Did you or your wife or anybody on your  
 25 behalf do anything to determine whether this agreement

1 yes.  
 2 Q. Okay. But you said you personally read this  
 3 document, correct?  
 4 A. Yes, I did.  
 5 Q. Now, other than the fact that the building is  
 6 called Trump Tower Tampa, is Mr. Trump -- Mr. Trump,  
 7 nor the Trump Organization -- neither of them are  
 8 mentioned in this contract, correct?  
 9 MR. TURKEL: Do you expect him to look  
 10 through it all right now or can I just object to  
 11 the form to the extent that the document speaks  
 12 for itself? And you can go ahead and answer it.  
 13 BY MS. VALIENTE:  
 14 Q. Why don't I ask it this way: Without having  
 15 to re-read the document, just based on your  
 16 recollection, do you remember anything in this document  
 17 referencing Mr. Trump or the Trump Organization other  
 18 than the fact that the building is called Trump Tower  
 19 Tampa?  
 20 A. No.  
 21 Q. If you could take a look at -- well, first,  
 22 there is some handwriting on the top left corner of the  
 23 document. Do you see that?  
 24 A. Yes.  
 25 Q. Do you know who wrote that?

1 discussed the arrangement between Mr. Trump and SimDag?  
 2 MR. TURKEL: Object to the from.  
 3 A. Can you rephrase the question? I'm not sure  
 4 I --  
 5 BY MS. VALIENTE:  
 6 Q. Sure. When you -- you said you read this  
 7 before you signed it, correct?  
 8 A. Yes.  
 9 Q. Do you recall seeing anything in this  
 10 agreement that talked about Mr. Trump's role in the  
 11 project?  
 12 A. No.  
 13 Q. And would that have concerned you if there  
 14 wasn't anything in this document that talked about  
 15 Mr. Trump's role in the project?  
 16 MR. TURKEL: Object to form.  
 17 A. No. Because I still see that it's Trump  
 18 Tower Tampa, and that it's a purchase agreement for a  
 19 unit within Trump Tower Tampa.  
 20 BY MS. VALIENTE:  
 21 Q. So the time you signed this, you don't  
 22 remember ever raising any concern that other than the  
 23 fact that it says "Trump Tower Tampa," this document  
 24 does not discuss Mr. Trump's role in the project in any  
 25 way, shape, or form?

1 MR. TURKEL: Object to form.  
 2 A. No.  
 3 BY MS. VALIENTE:  
 4 Q. Okay. If we could turn to the second page of  
 5 your contract, Bates No. 0383, if you look at paragraph  
 6 2 where it says "seller's financing" -- if you could  
 7 just read that paragraph to yourself real quick, let me  
 8 know when you are done.  
 9 A. Okay.  
 10 Q. That paragraph is entitled "Seller's  
 11 Financing," correct?  
 12 A. Yes.  
 13 Q. If you flip back to the first page, do you  
 14 see where in the paragraph where it starts, "Agreement  
 15 by" -- it says: "Agreement by and between  
 16 SimDag-RoBEL, LLC, a Florida Limited Liability  
 17 Company," and in parenthesis it says "seller"?  
 18 A. Yes.  
 19 Q. So you see that SimDag is the seller in this  
 20 agreement, correct?  
 21 A. Yes.  
 22 Q. If you flip to the second page, seller's  
 23 financing, it's talking about SimDag's financing;  
 24 correct?  
 25 A. Correct.

1 Q. But you understand that this document that we  
 2 are looking at, Exhibit 27 -- you understand that this  
 3 is -- this document that you signed is a legally  
 4 binding document, correct?  
 5 MR. TURKEL: Object to the form.  
 6 A. Yes.  
 7 BY MS. VALIENTE:  
 8 Q. Yes?  
 9 A. Yes.  
 10 Q. And this is the document that bound you in  
 11 your purchase of a unit in the Trump Tower project,  
 12 correct?  
 13 MR. TURKEL: Object to form.  
 14 A. Yes.  
 15 BY MS. VALIENTE:  
 16 Q. And in the second page, there is no  
 17 discussion about any financing being provided by  
 18 Mr. Trump or the Trump Organization, correct?  
 19 MR. TURKEL: Object to form.  
 20 A. No.  
 21 BY MS. VALIENTE:  
 22 Q. Again, if you look -- on the second page of  
 23 the contract -- again, that's Bates 0383 -- if you look  
 24 at paragraph 3, it's called construction.  
 25 A. Uh-huh.

1 Q. Nowhere in this paragraph does it talk about  
 2 Mr. Trump or the Trump Organization providing  
 3 financing, correct?  
 4 A. Correct.  
 5 Q. Then do you recall before signing this  
 6 document asking anyone associated with the project why  
 7 this paragraph didn't discuss any financing being  
 8 provided by Mr. Trump or the Trump Organization?  
 9 A. No. Other than the mindset is this: We  
 10 never expected to sit down across the table from  
 11 Mr. Trump. And also Mr. Trump, we have established,  
 12 has numerous real estate holdings around the world,  
 13 plus a TV program, and whatever else he has going on.  
 14 I understand that Mr. Trump can't do  
 15 everything by himself, and his organization is not  
 16 totally large enough to do everything by itself, and  
 17 again, in his own words, real estate is a local game so  
 18 to speak. Just as he doesn't have attorneys from New  
 19 York down here today doing this deposition, so he has  
 20 to rely on others.  
 21 So I'm not questioning the fact that his name  
 22 is not all over this other than that it's a Trump Tampa  
 23 condo. That was the mindset that went into this.  
 24 Somebody has got to be on the ground here in Tampa to  
 25 represent him.

1 Q. If you look at subsection A, the first  
 2 sentence there, it starts off: "The seller agrees to  
 3 construct the unit in substantial conformance with the  
 4 plans and specifications on file in seller's local  
 5 sales center." That's what it says, correct?  
 6 A. Yes.  
 7 Q. Seller is SimDag-RoBEL, correct?  
 8 A. Yes.  
 9 Q. So here it's telling you that SimDag-RoBEL  
 10 agrees to construct the unit. Isn't that right?  
 11 A. Yes.  
 12 Q. Do you remember ever raising any concern that  
 13 under this document SimDag-RoBEL is -- it says  
 14 SimDag-RoBEL is constructing the unit and it doesn't  
 15 say Mr. Trump or the Trump Organization is constructing  
 16 the unit?  
 17 MR. TURKEL: Object to form.  
 18 A. No.  
 19 BY MS. VALIENTE:  
 20 Q. If we could take a look at the Bates page  
 21 03888 of the purchase agreement.  
 22 A. Okay.  
 23 Q. You see where there is the paragraph where it  
 24 has got -- it's in all capitals?  
 25 A. Yes.

1 Q. Can you read that paragraph out loud, please?  
 2 A. "Except for the warranties contained in the  
 3 deed of conveyance and any written warranties by  
 4 developer delivered at closing (which does not include  
 5 manufacturers' warranties passed through to buyer) no  
 6 warranties, expressed or implied, representations,  
 7 understandings, guarantees, or promises have been made  
 8 to or relied upon by buyer in making the determination  
 9 to execute and close pursuant to this agreement and, to  
 10 the maximum extent permitted by law, all warranties,  
 11 including implied warranties of fitness for a  
 12 particular purpose, merchantability and habitability,  
 13 and all warranties imposed by statute (except to the  
 14 extent they cannot be disclaimed) are disclaimed."

15 Q. So it says -- as you just read, it says that  
 16 no guarantees or promises have been made to or  
 17 relied upon you in making the determination to  
 18 execute and close pursuant to this agreement,  
 19 correct?

20 MR. TURKEL: Object to the form.

21 A. Can you repeat the last part of your  
 22 question?

23 BY MS. VALIENTE:

24 Q. Sure. The paragraph as you just read states  
 25 in part no -- that no guaranties or promises have been

1 Q. Let's move on to the next exhibit. I'm going  
 2 to hand you what I have marked as Exhibit 28. Do you  
 3 recognize this document?

4 (Exhibit No. 28 was marked for  
 5 identification.)

6 A. Yes, I do.

7 BY MS. VALIENTE:

8 Q. What is it?

9 A. I'm not exactly sure what the actual term  
 10 would be called.

11 Q. Well, let me ask it this way: Was this one  
 12 of the documents that you received along with your  
 13 purchase contract?

14 A. Yes, it is.

15 Q. And you received this before you signed your  
 16 purchase agreement, correct?

17 A. Yes.

18 Q. Okay. Did you read this before you signed  
 19 it?

20 A. Yes, I did.

21 Q. Cover to cover?

22 A. Yes, I did.

23 Q. If you look at the front page of the  
 24 document, do you see at the bottom it says name of  
 25 developer, Sim-Dag-RoBEL, LLC?

1 made to or relied upon by you in making the  
 2 determination to execute and close pursuant to this  
 3 agreement; is that correct?

4 MR. TURKEL: Object to form.

5 A. Yes.

6 BY MS. VALIENTE:

7 Q. And you read this agreement, correct?

8 A. Yes.

9 Q. And you never asked anyone to include any  
 10 type of provision in this agreement about Mr. Trump or  
 11 the Trump Organization or their role in this project?

12 MR. TURKEL: Object to form.

13 A. No.

14 BY MS. VALIENTE:

15 Q. If you can flip to the document Bates  
 16 labelled 0398.

17 A. Okay.

18 Q. As you see at the top it says Exhibit A and  
 19 underneath it says receipt for condominium documents?

20 A. Yes.

21 Q. Is that your wife's signature at the bottom  
 22 of the document?

23 A. Yes, it is.

24 Q. Is that your signature underneath?

25 A. Yes, it is.

1 A. Yes.

2 Q. So it tells you that the developer is  
 3 SimDag-RoBEL, correct?

4 MR. TURKEL: Object to form.

5 A. Yes. It does. But as a layperson, again,  
 6 I'm entering into a condominium of a project of Donald  
 7 Trump, and under the Trump umbrella -- and again, as a  
 8 layperson, I'm looking at this paragraph and I'm  
 9 saying, okay, the developer is SimDag, but it's under  
 10 the umbrella of Trump.

11 BY MS. VALIENTE:

12 Q. Well, it doesn't say anything here about  
 13 Trump or the Trump Organization, correct?

14 MR. TURKEL: Object to form.

15 A. But then you are telling me to discount the  
 16 fact that I don't know the Trump name is attached to  
 17 this. I wouldn't have gotten to this point if I didn't  
 18 know it was Donald Trump and Trump Tower Tampa.  
 19 BY MS. VALIENTE:

20 Q. But these are the legal documents that are  
 21 associated with this purchase, correct?

22 MR. TURKEL: Object to the form. Don't argue  
 23 with him.

24 MS. VALIENTE: I'm not arguing, Ken.

25 A. Correct.

1 BY MS. VALIENTE:  
 2 Q. All right. But you understand as a layperson  
 3 it is still your responsibility to understand these  
 4 documents, correct?  
 5 MR. TURKEL: Object to form.  
 6 A. Yes.  
 7 BY MS. VALIENTE:  
 8 Q. Take a look at the third page of the document  
 9 of Exhibit 28. It's not numbered. It's just the third  
 10 page in.  
 11 A. Okay.  
 12 Q. Counting the first page of -- the first page  
 13 is no. 1.  
 14 A. Yes.  
 15 Q. Okay.  
 16 A. Okay.  
 17 Q. Do you see where it says "note" on that page?  
 18 A. Yes.  
 19 Q. "Note: In this property report, the words  
 20 'you' and 'you' refer to buyer. The words 'we,' 'us,'  
 21 and 'our' refers to the developer." Do you see that?  
 22 A. Yes.  
 23 Q. So this is telling you the words "we," "us,"  
 24 and "our" refer to SimDag-RoBEL, LLC, correct?  
 25 MR. TURKEL: Object to the form.

1 agreement," correct?  
 2 A. Correct.  
 3 Q. And you did. You read this document cover to  
 4 cover, correct?  
 5 A. I did.  
 6 Q. Okay. Next page, page 5. If you look at the  
 7 bottom of the document, it says: "The developer of the  
 8 condominium is SimDag-RoBEL, LLC."  
 9 A. Yes, I see that.  
 10 Q. And it never concerned you that either  
 11 Mr. Trump, nor the Trump Organization were mentioned as  
 12 developers?  
 13 MR. TURKEL: Object to form.  
 14 A. I guess I'm questioning your word "concern."  
 15 BY MS. VALIENTE:  
 16 Q. Well, did you ever question it? The fact  
 17 that --  
 18 A. No, I didn't.  
 19 Q. If you could turn to page 7.  
 20 A. Okay.  
 21 Q. You see where it says in general? The  
 22 sentence underneath that, it says: "The condominium is  
 23 presently" --  
 24 A. Yes.  
 25 Q. "The condominium is presently encumbered by

1 BY MS. VALIENTE:  
 2 Q. Is that correct?  
 3 A. Yes.  
 4 Q. If you could turn to the next page. This one  
 5 actually has a page number on it. It's page 4.  
 6 A. Uh-huh.  
 7 Q. Says -- see it's entitled "Risks of Buying  
 8 Land"?  
 9 A. Yes.  
 10 Q. And at the bottom in the last paragraph of  
 11 the last sentence, do you see where it says: "Since  
 12 this purchase involves a major expenditure of money, it  
 13 is recommended that you seek professional advice before  
 14 you obligate yourself." Do you see the last sentence?  
 15 A. Before the box?  
 16 Q. Right. Before the box.  
 17 A. Okay.  
 18 Q. "Since this purchase involves a major  
 19 expenditure of money, it is recommended that you seek  
 20 professional advice before you obligate yourself."  
 21 A. Yes.  
 22 Q. Then underneath there is a box.  
 23 A. Yes.  
 24 Q. The last sentence: "Be sure to read all  
 25 warnings carefully before signing any contract or

1 two mortgages held by Colonial Bank." Do you see where  
 2 it says that?  
 3 A. Yes.  
 4 Q. Now, it doesn't say that Mr. Trump or the  
 5 Trump Organization have any mortgages on this project,  
 6 does it?  
 7 A. No.  
 8 Q. And it doesn't say anything about Mr. Trump  
 9 or the Trump Organization guaranteeing to pay off those  
 10 mortgages, does it?  
 11 A. No.  
 12 Q. You see on the box at the bottom of page 7?  
 13 A. (Nods head.)  
 14 Q. The last sentence in the box says: "If we  
 15 should default on the mortgages prior to obtaining a  
 16 lease, you may lose your unit and all moneys paid."  
 17 A. Yes.  
 18 Q. And, again, "we" refers to SimDag, correct?  
 19 A. Yes.  
 20 Q. So, again, it doesn't say Mr. Trump or the  
 21 Trump Organization are going to pay off these mortgages  
 22 so you don't have to worry about it. It, in fact, says  
 23 you could lose your unit, correct?  
 24 MR. TURKEL: Object to the form.  
 25 A. Yes.

1 BY MS. VALIENTE:  
 2 Q. If you could turn to page 10. If you look at  
 3 the box at the top of the document, it says: "Your  
 4 escrow account will not fully protect you. Before  
 5 closing, it is possible that the deposits you have made  
 6 under the sales contract may be used by us for project  
 7 construction to acquire title to the land, or other  
 8 project costs. While we intend to complete the  
 9 project, it is possible that the project may not be  
 10 completed. If your deposits have been disbursed to pay  
 11 project costs, there is a risk that you could lose your  
 12 deposit." That's what it says, correct?  
 13 A. Yes.  
 14 Q. So this tells you that there is a risk  
 15 that the project isn't going to be completed,  
 16 correct?  
 17 A. Correct.  
 18 Q. It doesn't say Mr. Trump or the Trump  
 19 Organization guarantees that this project is going to  
 20 be completed, and they guarantee that they are going to  
 21 pay all costs associated with project. It doesn't say  
 22 that, does it?  
 23 MR. TURKEL: Object to form.  
 24 A. No.  
 25 BY MS. VALIENTE:

1 Q. And it's under a heading called  
 2 "environment," correct?  
 3 A. Yes.  
 4 Q. It says this is the developer's  
 5 responsibility, correct?  
 6 A. Yes.  
 7 Q. If we could to turn to page 26. You see  
 8 underneath where it says "water"?  
 9 A. Yes.  
 10 Q. And you see the first box that's in all caps.  
 11 It says: "The required permits, approvals, or licenses  
 12 for construction, operation or use of a water system  
 13 have not been obtained. Therefore, there is no  
 14 assurance the system can be constructed or used."  
 15 That's what it states, correct?  
 16 A. Yes.  
 17 Q. Then underneath that right before the second  
 18 box there's a sentence that says: "We" -- again and we  
 19 saw that "we" means SimDag-RoBEL. "We will pay all the  
 20 construction costs to complete the infrastructure  
 21 associated with the central water system." That's what  
 22 it states, correct?  
 23 A. Yes.  
 24 Q. So, again, it's saying SimDag is going to pay  
 25 these costs. Not Mr. Trump and not the Trump

1 Q. If we could turn to page 24, do you see where  
 2 it says "permits"?  
 3 A. Yes.  
 4 Q. Underneath that it says "developer," and,  
 5 again, the developer is SimDag-RoBEL, correct? It  
 6 says: "Developer will obtain the necessary building  
 7 permits for the construction of the condominium and the  
 8 unit from the proper governmental agencies prior to the  
 9 commencement of construction." That's what it says,  
 10 correct?  
 11 MR. TURKEL: Object to the from.  
 12 A. Yes.  
 13 BY MS. VALIENTE:  
 14 Q. Again, it says the developer is going to do  
 15 that. It doesn't say Mr. Trump or the Trump  
 16 Organization, correct?  
 17 A. Yes.  
 18 Q. If you look at the bottom of the page, the  
 19 second to last sentence, it says: "The developer will  
 20 be responsible for investigating and remediating these  
 21 conditions to a level that is satisfactory to  
 22 applicable governmental and regulatory authorities  
 23 having jurisdiction over the condominium property."  
 24 That's what it says, correct?  
 25 A. Yes.

1 Organization, correct?  
 2 A. Yes.  
 3 Q. On the box underneath that you see in bold  
 4 and all caps, it says: "No funds have been set aside  
 5 in an escrow or trust account, nor have any other  
 6 financial arrangements been made to assure the  
 7 completion of the water system." That's what it says,  
 8 correct?  
 9 A. Yes.  
 10 Q. So no financial arrangements have been made.  
 11 This certainly doesn't tell you or suggest that there  
 12 has been some arrangement made with Mr. Trump or the  
 13 Trump organizations to cover these costs, does it?  
 14 MR. TURKEL: Object to form.  
 15 A. No.  
 16 BY MS. VALIENTE:  
 17 Q. If you turn to page 27. Right underneath the  
 18 first box it states: "We will pay all of the  
 19 construction costs to complete the infrastructure  
 20 associated with the central sewer system." That's what  
 21 it states, correct?  
 22 A. Yes.  
 23 Q. Again, "we" refers to SimDag-RoBEL, correct?  
 24 A. Yes.  
 25 Q. So, again, this is saying SimDag-RoBEL is

1 going to pay all of the construction costs to complete  
 2 the infrastructure associated with the central sewer  
 3 system, correct?  
 4 A. Yes.  
 5 Q. The second box says: "No funds have been set  
 6 aside in an escrow or trust account, nor have any other  
 7 financial arrangements been made to assure the  
 8 completion of the sewer system." Do you see where it  
 9 says that?  
 10 A. Yes.  
 11 Q. So, again, this doesn't tell you that any  
 12 financial arrangements of any kind have been made with  
 13 Mr. Trump or the Trump Organization, correct?  
 14 MR. TURKEL: Object to form.  
 15 A. (Nods head.)  
 16 BY MS. VALIENTE:  
 17 Q. Okay. Still on that page underneath where it  
 18 says "electricity." It says: "The construction of the  
 19 lines of service to the ultimate consumer is scheduled  
 20 to be completed by Progress Energy Company and by the  
 21 developer as the condominium is constructed." That's  
 22 what it says, correct?  
 23 A. Yes.  
 24 Q. And the box underneath that: "Warning - no  
 25 funds have been set aside in an escrow or trust

1 MR. TURKEL: Object to the form.  
 2 A. No.  
 3 BY MS. VALIENTE:  
 4 Q. The next sentence says: "The developer has  
 5 not had prior experience in the development of  
 6 condominiums." Again, there is no way that could refer  
 7 to Mr. Trump or the Trump Organization, correct?  
 8 A. Correct.  
 9 Q. The next sentence: "The developer has not  
 10 yet begun construction on the condominium project and,  
 11 accordingly, has not closed on any condominium units."  
 12 Do you see where it says that?  
 13 A. Yes.  
 14 Q. Then the next sentence says: "Because of  
 15 lack of operating experience, the developer does not  
 16 have audited financial statements as of the date of  
 17 filing of this property report." Then it goes on to  
 18 say: "The developer has experienced a net operating  
 19 loss during the last physical year." That's what is  
 20 says, correct?  
 21 A. Yes.  
 22 Q. The next sentence says: "This may affect the  
 23 developer's ability to complete the promised facilities  
 24 and to discharge financial obligations," correct?  
 25 A. Correct.

1 account, nor have any other financial arrangements have  
 2 been made to assure the construction of the electrical  
 3 lines." That's what it states, correct?  
 4 A. Yes.  
 5 Q. Okay. If you could turn to page 29. It's a  
 6 page entitled "Financial Information."  
 7 A. Yes.  
 8 Q. Do you see the second sentence? It says: "A  
 9 copy of our" -- and earlier we said that "our" refers  
 10 to SimDag-RoBEL. It says: "A copy of SimDag-RoBEL's  
 11 unaudited assembled financial statements ending are  
 12 available from us upon request." Do you see where it  
 13 says that?  
 14 A. Yes.  
 15 Q. Did you ever request from SimDag-RoBEL a copy  
 16 of their unaudited assembled financial statements?  
 17 A. No.  
 18 Q. The next paragraph states: "Although its  
 19 principals and officers have extensive real estate  
 20 development experience, the developer has not had any  
 21 significant operating experience." Do you see where it  
 22 says that?  
 23 A. Yes.  
 24 Q. And, again, that could not possibly refer to  
 25 Mr. Trump, correct?

1 Q. Again, this is telling you there is a risk  
 2 that this project might not be built, correct?  
 3 MR. TURKEL: Object to the from.  
 4 A. Correct.  
 5 BY MS. VALIENTE:  
 6 Q. It in no way, shape, or form says Mr. Trump  
 7 or the Trump Organization is guaranteeing that this  
 8 building is going to be built, correct?  
 9 MR. TURKEL: Object to the from.  
 10 A. Correct.  
 11 BY MS. VALIENTE:  
 12 Q. If you could turn to page 31. I'm looking at  
 13 the section entitled "Recreational and Other Common  
 14 Area Facilities."  
 15 A. Yes.  
 16 Q. Do you see there is a number of columns? The  
 17 second to last column says: "Financial Assurance of  
 18 Completion"?  
 19 A. Uh-huh.  
 20 Q. Do you see that every entry underneath that  
 21 column says "none"?  
 22 A. Yes.  
 23 Q. Including on the following page there are  
 24 more entries?  
 25 A. Yes, I see that.

1 Q. So this is telling you there is absolutely no  
 2 financial assurance of completion for any of these  
 3 parts of the building, correct?  
 4 MR. TURKEL: Object to the form.  
 5 A. Correct.  
 6 BY MS. VALIENTE:  
 7 Q. It doesn't say financial assurance of  
 8 completion -- Mr. Trump is assuring completion, does  
 9 it?  
 10 MR. TURKEL: Object to form.  
 11 A. No.  
 12 BY MS. VALIENTE:  
 13 Q. Now, if you look at the next page, page 32.  
 14 It's the first full paragraph at the bottom.  
 15 A. Okay.  
 16 Q. The first full paragraph at the bottom  
 17 states: "The facilities described above are intended  
 18 to be constructed and completed in connection with the  
 19 completion of the condominium building. The design,  
 20 commencement, and progress of any such construction,  
 21 however, will be in the sole discretion of the  
 22 developer." That's what it states, correct?  
 23 A. Yes.  
 24 Q. Again, the developer is SimDag-RoBEL, LLC,  
 25 correct?

1 is no assurance that the unit owners will be able to  
 2 use the recreational facilities unless and until such  
 3 permits are obtained and appropriate governmental  
 4 approvals of completion thereof are ultimately issued."  
 5 I read that correctly, correct?  
 6 A. Yes.  
 7 Q. If you could turn to page 42. There are  
 8 actually two page 42s. I'm looking at the second page  
 9 42.  
 10 A. Okay.  
 11 Q. Do you see at the bottom the document is  
 12 signed on behalf of Jody Simon?  
 13 A. Yes.  
 14 Q. Signed on behalf of SimDag-RoBEL, LLC?  
 15 A. Yes.  
 16 Q. There is no signature on here by Mr. Trump or  
 17 the Trump Organization, correct?  
 18 A. Correct.  
 19 Q. So, Mr. Robbins, when we started earlier, you  
 20 had said that one of the expectations when you signed  
 21 the purchase agreement was that Mr. Trump was going to  
 22 share in the expenses; is that correct?  
 23 A. Correct.  
 24 Q. So after reading this document, do you still  
 25 believe you were misled about Mr. Trump's end

1 MR. TURKEL: Object to the from.  
 2 A. Correct.  
 3 BY MS. VALIENTE:  
 4 Q. The next sentence after that paragraph  
 5 states: "All costs incurred in this construction will  
 6 be paid by us." That's what it states, correct?  
 7 A. Yes.  
 8 Q. And it says "all costs"?  
 9 A. Yes.  
 10 Q. Turn to page 33. Do you see the box in bold  
 11 and all caps where it says: "No funds have been set  
 12 aside in an escrow or trust account, nor have any other  
 13 financial arrangements been made to assure the  
 14 completion of any such facilities." That's what it  
 15 states, correct?  
 16 A. Yes.  
 17 Q. If you look at page 34 underneath where it  
 18 says Construction Facilities, it says: "The developer  
 19 is solely responsible for the construction of all the  
 20 recreational facilities." That's what it states,  
 21 correct?  
 22 A. Yes.  
 23 Q. Underneath where it says "permits," it says:  
 24 "The building permits for the construction of all the  
 25 recreational facilities have not been obtained. There

1 responsibility with respect to the expenses of the  
 2 project?  
 3 MR. TURKEL: Object to the form.  
 4 A. When I mentioned earlier on whether or not  
 5 the expenses were important to me or not, the expenses  
 6 were important to the fact that it increased  
 7 Mr. Trump's stake in the project and what was going to  
 8 be accomplished. Again, he was going to share  
 9 expenses. He was going to share profits and now I find  
 10 out these, so that was why it was important to me, yes.  
 11 And your question again?  
 12 BY MS. VALIENTE:  
 13 Q. Well, we just read this document together  
 14 that you received and read before you signed your  
 15 purchase agreement, and we read all of the provisions  
 16 that talk about there aren't any financial assurances.  
 17 There is -- it discloses mortgages held by Colonial  
 18 Bank, but nothing from Mr. Trump or the Trump  
 19 Organization.  
 20 After everything that we have just read, do  
 21 you still believe that you were misled about  
 22 Mr. Trump's role with respect to the expenses of the  
 23 project?  
 24 MR. TURKEL: Object to the form.  
 25 A. Well, the fact that he had what appears to be

1 no expenses, then it would just lead me to believe or  
2 question as to how serious he was about actually  
3 getting the building built.

4 BY MS. VALIENTE:

5 Q. But this was something you read before you  
6 signed the purchase agreement, correct?

7 A. Correct.

8 Q. So this was information you knew before you  
9 signed the purchase agreement?

10 A. Yes.

11 Q. And you still signed it?

12 A. Yes.

13 Q. I'm going to hand you what I have marked as  
14 Exhibit 29. Do you recognize this document?

15 (Exhibit No. 29 was marked for  
16 identification.)

17 A. Yes.

18 BY MS. VALIENTE:

19 Q. And what is this? Is this one of the  
20 documents that you received prior to signing your  
21 purchase agreement?

22 A. Yes.

23 Q. Did you read this document?

24 A. Yes.

25 Q. Cover to cover?

1 A. Yes.

2 Q. Is that your wife's signature above you?

3 A. Yes.

4 Q. Underneath your signature there is a date of  
5 November 28th, 2007. Is that the date you signed the  
6 document?

7 A. Yes.

8 Q. Now, what is this document?

9 A. The escrow agreement and --

10 Q. Let me try and help you out. Underneath --  
11 on the front of the document where it says preamble, if  
12 you -- starting on the second paragraph it says: "On  
13 even date herewith seller and buyer have entered into  
14 an addendum to condominium sale and purchase agreement  
15 in connection with the contract. A copy of which  
16 addendum is attached hereto as Exhibit A and made a  
17 part hereof."

18 Next paragraph: "Seller and buyer have  
19 agreed that the addendum shall not be immediately  
20 binding and effective but rather, shall be held in  
21 escrow by seller. Accordingly, seller and buyer desire  
22 by this escrow agreement to establish the terms and  
23 conditions upon which the addendum will be held and  
24 released from escrow." Does this help you remember  
25 what this agreement was about?

1 A. Yes.

2 Q. Now, obviously, without having re-read it  
3 sitting here today, but just based on your  
4 recollection, do you recollect this document discussing  
5 in any way Mr. Trump's role in the Trump Tower Tampa  
6 project?

7 A. No. But it also doesn't mention anything  
8 about the licensing agreement.

9 Q. Let's go on to the next exhibit. I'm going  
10 to hand you two exhibits. One that I have marked as  
11 Exhibit 30 called Escrow Agreement and the next  
12 document marked as Exhibit 31 is called Exhibit A,  
13 Addendum to Condominium Sale and Purchase Agreement.  
14 Do you recognize these two documents?

15 (Exhibit Nos. 30 and 31 were marked for  
16 identification.)

17 A. Yes.

18 BY MS. VALIENTE:

19 Q. Let me -- first, on Exhibit 30, which is the  
20 escrow agreement -- is that right?

21 A. Yes.

22 Q. On the escrow agreement, if you would turn to  
23 the second to last page. It's page 3.

24 A. Okay.

25 Q. Is that your signature on that document?

1 A. Yes.

2 Q. What is your understanding of what this  
3 agreement was about?

4 MR. TURKEL: For the record, if you are  
5 going to read him a provision and ask him if that  
6 refreshed his memory -- why don't we just let him  
7 read the whole document.

8 MS. VALIENTE: I'm sorry. You're right.  
9 Take your time and read as much as you need to  
10 read.

11 THE DEPONENT: It says that the seller is  
12 going to hold in escrow the fees that we paid.

13 BY MS. VALIENTE:

14 Q. Do you remember reading this document before  
15 you signed it?

16 A. Yes, I do. I wouldn't have signed it  
17 without. It's just that I've looked at so much today.

18 Q. Do you remember how this agreement came  
19 about? Do you remember the circumstances under which  
20 this document was signed?

21 A. I'm going to say it was sent to us in the  
22 mail.

23 Q. Let's take a look at the next exhibit, which  
24 is 31. I believe it's the addendum.

25 A. Okay.



1 Q. It's Bates P00472.  
 2 A. Okay.  
 3 Q. Is that your signature on this document?  
 4 A. Yes.  
 5 Q. Is that your wife's signature?  
 6 A. Yes.  
 7 Q. And it's dated November 28th, 2007. Is that  
 8 the date it was signed?  
 9 A. Yes.  
 10 Q. And you see where it says above the -- it  
 11 says: "In witness whereof." There is some handwriting  
 12 on the document?  
 13 A. Yes.  
 14 Q. Whose handwriting is that?  
 15 A. I don't know.  
 16 Q. Okay. There is an RS next to it. Do you  
 17 know -- is that your wife's initials?  
 18 A. Yes. That would be my wife's initials.  
 19 Q. But you don't know for certain whether she  
 20 wrote that in or not?  
 21 A. I don't know if she wrote that in or not. I  
 22 know that's her initials.  
 23 Q. Okay. Now, if you look at the last page on  
 24 the document, it's page P00474.  
 25 A. Yes.

1 Q. It looks like there's an additional section  
 2 that has been added onto the contract?  
 3 A. Yes.  
 4 Q. Do you know who typed this out?  
 5 A. I do not.  
 6 Q. Are those your initials on that page?  
 7 A. My wife and mine. I'm not sure who the third  
 8 initials are.  
 9 Q. Did you ask that this be drafted as part of  
 10 the agreement?  
 11 A. As I sit here today, I don't remember the  
 12 circumstances of this.  
 13 Q. Take your time if you need to read the  
 14 document, but if you could just look it over. When you  
 15 are ready, just tell me if you recall anything about  
 16 this agreement and how it came to be signed.  
 17 A. I know we must have signed it in Connecticut  
 18 because all of the witnesses are people in Connecticut.  
 19 Again, your question is --  
 20 Q. What do you recall about this agreement, if  
 21 anything?  
 22 MR. TURKEL: Object to form.  
 23 A. Nothing is jumping out at me right now. It's  
 24 also late in the day from looking at a lot of stuff.  
 25 BY MS. VALIENTE:

1 Q. Sure. Let's go back to Exhibit 30, which is  
 2 the escrow agreement. Do you see paragraph 2 on the  
 3 first page?  
 4 A. Yes.  
 5 Q. Where it says: "The original executed  
 6 addendum shall be deposited and held in escrow by  
 7 seller and shall not be deemed effective until such  
 8 time a seller has obtained and closed on construction  
 9 financing required by seller for the construction and  
 10 the development of the condominium. Upon the closing  
 11 of construction financing, the addendum shall be deemed  
 12 effective and binding and seller shall be required  
 13 without need of any further consent or authorization  
 14 from buyer to release the original executed addendum  
 15 from escrow and attach same to contract." Do you see  
 16 where it says that?  
 17 A. Yes.  
 18 Q. So it says that this addendum, which is  
 19 Exhibit 31, is going to be held in escrow until the  
 20 Trump Tower Tampa can obtain financing, and once it  
 21 does, that addendum is going to be part of your  
 22 purchase agreement. Would that be fair?  
 23 MR. TURKEL: Object to the form.  
 24 A. Yes.  
 25 BY MS. VALIENTE:

1 Q. These documents were signed on  
 2 November 28th, 2007, which was six months after  
 3 Mr. Trump sued SimDag. If you were so -- if you felt  
 4 so deceived, as you have stated before, about the fact  
 5 that the license agreement was never disclosed to you,  
 6 why in the world would you sign these documents?  
 7 MR. TURKEL: Object to form.  
 8 A. At that point you are frightened to death  
 9 that you are not going to see any of this money.  
 10 That's exactly our feeling. We are not going to see  
 11 any money, and we're not going to see a building come  
 12 up out of the ground next door.  
 13 When this was signed, my wife and I and  
 14 Catherine Gouze all attended a meeting with Frank  
 15 Dagostino, and Evie Paul was there too. While Frank  
 16 was talking about suing the guy that should have told  
 17 him about the geologist that did the study and should  
 18 have told him about the situation of the land next  
 19 door, and he was going to do this and he was going to  
 20 do that, but he was still going to build this building.  
 21 At that point, he at least said SimDag, we,  
 22 are going to build this building. He didn't say to me  
 23 Trump is still going to build the building. Joe Blow  
 24 is going to build the building. He said we are going  
 25 to attempt to build the building, and he also made

1 certain promises to us that any money we're holding in  
2 escrow -- I think it was some sort of interest on that  
3 money. There were promises for upgrades that we  
4 wouldn't have to pay for and whatnot.

5 But I also felt to a degree there was a  
6 certain amount of bullying. It might be just me and a  
7 gut feeling. So, you know, we were looking at, I  
8 think, at losing everything and not even getting half  
9 of our deposit back and not having a building, having  
10 nothing. So that's why we went through with this. I  
11 don't say it was done under duress, but the mindset  
12 was, you know, we are already up against the wall; we  
13 have got nothing.

14 Also -- you said the date was August of 2007?

15 Q. No. November of 2007.

16 A. Our home in Connecticut was sold. The  
17 closing was scheduled for December of 2007. We were  
18 not going to have a home in Connecticut. We were not  
19 going to have a condominium here. That was the mindset  
20 that we were under at that point in time.

21 Q. When you first heard about the lawsuit  
22 between Mr. Trump and SimDag, did you make a demand for  
23 the return of your deposit?

24 A. No.

25 Q. Okay. This agreement that we just read,

1 ago and let me -- because what I heard you say was that  
2 all things being equal. You know, if before you signed  
3 the purchase agreement, somebody had handed you a copy  
4 of the license agreement, you may have still purchased  
5 the unit?

6 MR. TURKEL: I'm going to object to form.  
7 Move to strike counsel's comments before the part  
8 of the question that tries to form an  
9 interrogatory.

10 MS. VALIENTE: I will rephrase the question.  
11 BY MS. VALIENTE:

12 Q. I'm just trying to make sure I understand  
13 what your testimony is, and that's what I'm trying to  
14 clear up. I heard you say earlier today that all  
15 things being equal, if somebody had handed you a copy  
16 of the license agreement before you signed the purchase  
17 agreement, that you may have -- that there was a  
18 possibility that you might have purchased your unit.  
19 Isn't that what you said earlier today?

20 MR. TURKEL: Object to form. Move to strike  
21 those comments.

22 A. I don't think that's what I said, no.

23 BY MS. VALIENTE:

24 Q. Just to understand. You are saying with all  
25 certainty if before you signed your purchase agreement,

1 you're basically saying that if this building is built  
2 and can obtain financing, that you are agreeing to  
3 complete the purchase of your unit; isn't that correct?

4 MR. TURKEL: Object to form.

5 A. Again, frightened to death. I guess I had  
6 some reservation in the back of my mind of whether  
7 SimDag could do this or not. I was also aware of the  
8 existing conditions in the real estate market at that  
9 time. Mr. Dagostino said -- I can't remember his exact  
10 terms, but he said, "If I can't do this by a certain  
11 date, I'm going to give you your deposit back." I just  
12 didn't feel strongly about that. I don't know of  
13 anyone that sat in those meetings and got their money  
14 back. I haven't talked to anyone. That's just a gut  
15 feeling again.

16 And I have to back all the way up to the very  
17 beginning. We wouldn't be in this situation if --  
18 whether you want to call it Trump, the Trump  
19 Organization, SimDag-RoBEL, or whoever, I would not be  
20 in this position if I knew from day one that it was a  
21 licensing agreement. It can be this same building, I  
22 don't care, but I'm not -- I just can't compromise  
23 myself and say that I would have gone through with it.

24 BY MS. VALIENTE:

25 Q. Well, that's not what you said a little while

1 if somebody had handed you a copy of the license  
2 agreement, that you would have absolutely refused to  
3 sign the purchase agreement?

4 A. I think I expressed earlier was that if  
5 Mr. Trump had stood up on February 18th when he  
6 presented himself here in Florida and said I'm happy to  
7 be here in Florida; I love my -- he said I love my  
8 partners. If he said I love my licensees, it certainly  
9 would have rung a question in my mind. I would have  
10 been the first person the next morning asking what's  
11 the deal with this. No. I would have not have gone  
12 through with it based on that. I wasn't interested in  
13 the licensing deal.

14 I was interested in Donald Trump as a partner  
15 building a condominium on Ashley in Tampa that was  
16 going to be called Trump Tower Tampa and commanding the  
17 prices that they were asking. No one else short of  
18 Donald Trump's name on that lot even building the same  
19 building, could have demanded those prices.

20 Q. But from your recollection of the licensing  
21 agreement -- you remember the licensing agreement --

22 A. I do.

23 Q. -- goes into the fact that he had  
24 responsibilities to ensure that the project conformed  
25 to the Trump standards. You recall that, correct?

1 MR. TURKEL: Object to the form.  
 2 A. I do.  
 3 BY MS. VALIENTE:  
 4 Q. So you are saying even with that information,  
 5 even if the building had been built and looked like a  
 6 Trump building, just the mere fact that this license  
 7 agreement existed, and if that had been fully disclosed  
 8 to you before you signed the purchase agreement, it is  
 9 your testimony that -- that even knowing the building  
 10 was still going to look like a Trump building, you  
 11 would have still signed the purchase agreement?  
 12 MR. TURKEL: Object to the from.  
 13 A. If it was not disclosed to me, no, I would  
 14 not.  
 15 BY MS. VALIENTE:  
 16 Q. If it was disclosed to you?  
 17 MR. TURKEL: Object to form.  
 18 A. No. I would not have gone through with this  
 19 deal.  
 20 BY MS. VALIENTE:  
 21 Q. Why?  
 22 MR. TURKEL: Object to form.  
 23 A. It's not what I wanted and not what I  
 24 expected. They weren't up-front with me.  
 25 BY MS. VALIENTE:

1 here patiently four hours into a depo re-visiting  
 2 an area of questioning that was done two hours ago  
 3 trying to --  
 4 MS. VALIENTE: Well, he gave me a different  
 5 answer than what he gave me two hours ago, Ken.  
 6 MR. TURKEL: Well -- and that's your record.  
 7 MS. VALIENTE: I don't want to argue with  
 8 you, Ken. Let me ask my questions.  
 9 MR. TURKEL: You're arguing with him. You're  
 10 asking me why I'm objecting. I have been very  
 11 patient. I have let you go through this three or  
 12 four times, but the reason why you're going around  
 13 and around with him is you're not getting the  
 14 answer that you think reconciles with what you  
 15 think his first answer is. So keep doing it, but  
 16 at some point, you know, ostensibly it's supposed  
 17 to stop. So go ahead. Object to form. Read back  
 18 the question, please.  
 19 (Preceding question read by the reporter.)  
 20 THE DEPONENT: No, I would not.  
 21 BY MS. VALIENTE:  
 22 Q. Why not?  
 23 MR. TURKEL: Object to form.  
 24 A. You are making the assumption that -- let me  
 25 back up on that. No, I would not. It's not what I

1 Q. I'm trying to ask you if you had seen and  
 2 read a copy of the license agreement beforehand -- I'm  
 3 trying to understand. Is it your testimony that you  
 4 would not have signed your purchase agreement?  
 5 MR. TURKEL: Object to form. I'm getting to  
 6 a point -- you have asked this question five times  
 7 to this guy. I'm getting to a point where I'm  
 8 going to tell him not to answer.  
 9 MS. VALIENTE: Well, he's giving me different  
 10 answers.  
 11 MR. TURKEL: Just because -- you are getting  
 12 different answers because he answered once and  
 13 then you asked him three other times. That's the  
 14 whole reason we object to the form of a question  
 15 as asked and answered.  
 16 MS. VALIENTE: And you have a right to object  
 17 to the form, but he still has to answer.  
 18 MR. TURKEL: I agree, but I also have the  
 19 right to stop the depo when it becomes  
 20 argumentative and harassing and asking him the  
 21 question for the fifth time with the same  
 22 follow-ups every time.  
 23 MS. VALIENTE: If you want to instruct your  
 24 client not to answer the question, go ahead.  
 25 MR. TURKEL: What I'm trying to do is sit

1 wanted. To me it was not a Donald Trump deal. You can  
 2 call it a Donald Trump signature property. You can  
 3 call it what you want. A licensing agreement and  
 4 partnership and development are -- they are not the  
 5 same thing to me.  
 6 BY MS. VALIENTE:  
 7 Q. What type of agreement would have  
 8 conformed to what you expected the partnership to  
 9 be?  
 10 MR. TURKEL: Object to form.  
 11 A. It could have been fine. Donald Trump  
 12 building the building in conjunction with SimDag in a  
 13 partnership, but not SimDag building the building under  
 14 a license agreement with Donald Trump. To me that's  
 15 not the same thing and not worth the money that I was  
 16 being asked to pay.  
 17 Q. All right. If you could just give me one  
 18 second.  
 19 I have just a couple other questions.  
 20 Other than speaking with your attorney -- and  
 21 I don't want to know anything you discussed with your  
 22 attorney. Other than that, what did you do to prepare  
 23 for your deposition today?  
 24 A. Because I go online every day, I was just  
 25 looking at some articles online.

1 Q. I noticed when we came in today, you were  
2 looking at some documents. What were you looking  
3 at?

4 A. Oh, it was a copy that Dan gave me of the  
5 interrogatories.

6 Q. Okay. And the documents that we looked at  
7 today, did you review any of those documents before the  
8 deposition?

9 A. No.

10 Q. Did you speak with your spouse about your  
11 deposition today?

12 A. Other than the fact that I was just being  
13 deposed today. She is working in Puerto Rico right  
14 now, and through airline snafus she got home at 2:00 in  
15 the morning, so we really didn't discuss it. This  
16 morning she had an appointment, so we didn't discuss  
17 it, no.

18 Q. Okay. That you know of, do any of the  
19 plaintiffs in this lawsuit maintain any type of blog or  
20 any type of site on the Internet that discusses this  
21 case in any way, shape, or form?

22 A. Not that I'm aware of. I'm not party to  
23 that, no.

24 MS. VALIENTE: That's all I have.

25 CROSS-EXAMINATION

1 Q. I don't recall whether you said you read this  
2 before you signed the purchase agreement in this case,  
3 but at any point in time did anybody explain to you  
4 when that quote was made by Donald Trump that when he  
5 said "we are developing," that he was excluding  
6 himself?

7 A. No.

8 Q. Ms. Valiente showed you documents including  
9 the property report. That was the one with all of the  
10 big boxes and disclaimers. Do you remember that?

11 A. Yes.

12 Q. Did anybody at any time, either SimDag or  
13 Donald Trump, or anyone involved in selling this  
14 condominium to you, explain to you that they defined  
15 SimDag as the developer in that property report, that  
16 Donald Trump was not part of that developer definition?

17 A. No.

18 Q. Did anybody ever tell you -- you have  
19 testified today that there were representations made to  
20 you as well as other purchases that Donald Trump was in  
21 a partnership with SimDag, right?

22 A. Correct.

23 Q. Did anybody ever tell you what the name of  
24 the partnership between Donald Trump and SimDag was?

25 A. No.

1 BY MR. TURKEL:

2 Q. I want to show you one document and ask you  
3 one question about it. This is Exhibit 7. It's one of  
4 the newspaper articles that was forwarded to you by  
5 e-mail. Do you recall being questioned about that?

6 MS. VALIENTE: What's the Bates number on  
7 there?

8 MR. TURKEL: It's P00500.

9 MS. VALIENTE: Thanks.

10 BY MR. TURKEL:

11 Q. Do you recall being questioned about it early  
12 on in the deposition?

13 A. Yes.

14 Q. That was one of the documents I believe in  
15 which you were asked to review and state whether there  
16 were any misrepresentations in it. Do you recall being  
17 asked about that line of questioning?

18 A. Yes.

19 Q. All right. I want to point out in the middle  
20 of this there is a quote in here attributed to Donald  
21 Trump that says: "We are developing a signature  
22 landmark property so spectacular that it will redefine  
23 both Tampa's skyline and the market's expectations of  
24 luxurious condominium living." Do you see that quote?

25 A. Yes, I do.

1 Q. Do you know whether it was called Trump  
2 Properties One?

3 A. No, I do not know.

4 Q. As you sit here today or at any time prior to  
5 your purchase of this agreement -- of this condominium,  
6 did anybody tell you that Donald Trump wasn't an actual  
7 partner with SimDag?

8 A. No.

9 Q. Did anybody tell you whether Donald Trump was  
10 a partner in the group defined as SimDag-RoBEL?

11 A. No.

12 Q. Do you have any knowledge as you sit here  
13 today whether he was or wasn't?

14 A. No.

15 Q. Did anybody during the course of time that  
16 you were handed this property report, these  
17 prospectuses, and these legal documents that  
18 Ms. Valiente questioned you on, ever reconcile for you  
19 representations like I just pointed out to you in  
20 Exhibit 7 with those legal terms you were  
21 provided?

22 A. No.

23 MR. TURKEL: I don't have anything else.  
24 Thank you.

25 REDIRECT EXAMINATION

1 BY MS. VALIENTE:  
 2 Q. Mr. Robbins, I'm going to hand you what we  
 3 have marked as Exhibit 9. If you could turn to the --  
 4 this is one of the documents that came from your  
 5 personal file, correct?  
 6 A. Yes.  
 7 Q. This is the document you said you read prior  
 8 to signing your purchase agreement; is that right?  
 9 A. Yes.  
 10 Q. Can you turn to last page of the agreement?  
 11 A. Yes.  
 12 Q. In the last paragraph, second sentence it  
 13 says: "SimDag-RoBEL's partner -- Howell, Simon,  
 14 Patrick Shepperd, Frank Dagostino, and Robert E.  
 15 Lyons -- are local developers of luxury condominiums."  
 16 Do you see where it says that?  
 17 A. Yes.  
 18 Q. Neither Mr. Trump or the Trump Organization  
 19 are identified as partners of SimDag-RoBEL, correct?  
 20 A. No.  
 21 Q. Do you have a copy of the Views there? Do  
 22 you see on the caption underneath the picture it says:  
 23 The principals of SimDag-RoBEL, LLC, from left, Patrick  
 24 Shepperd, Dr. Howard Howell, Jody Simon, Robert Lyons,  
 25 and Frank Dagostino met -- appear with Donald Trump in

1 Patrick Shepperd, Frank Dagostino and Robert E. Lyons."  
 2 I read that correctly; is that right?  
 3 A. Yes.  
 4 Q. Again, it lists the partners of SimDag-RoBEL  
 5 as Simon, Howell, Shepperd, Dagostino, and Lyons;  
 6 correct?  
 7 A. Yes.  
 8 Q. It does not list Mr. Trump or the Trump  
 9 Organization as partners of SimDag-RoBEL, correct?  
 10 A. Correct.  
 11 Q. I'm going to hand you what we marked as  
 12 Exhibit 21. Again, this was a document that came from  
 13 your personal files, correct?  
 14 A. Correct.  
 15 Q. If you take a look at the paragraph towards  
 16 the bottom where it starts with the \$220 million  
 17 development?  
 18 A. Yes.  
 19 Q. It says: "The \$220 million is backed by the  
 20 Tampa-based LLC, SimDag-RoBEL, which in addition to  
 21 Simon includes local real estate investors Dr. Howard  
 22 Howell, Patrick Shepperd, Frank Dagostino, and Robert  
 23 E. Lyons." I read that correctly, correct?  
 24 A. Correct.  
 25 Q. And, again, that lists the members of

1 his advertising photo touting the development of Trump  
 2 Tower Tampa.  
 3 A. Correct.  
 4 Q. So, again, it lists the members of  
 5 SimDag-RoBEL as Patrick Shepperd, Dr. Howard Howell,  
 6 Jody Simon, Robert Lyons, and Frank Dagostino, and it  
 7 says they are appearing with Donald Trump; correct?  
 8 A. Correct.  
 9 Q. I'm going to hand you what has been marked  
 10 Exhibit 13. This was a document that came from your  
 11 personal files, correct?  
 12 A. Yes.  
 13 Q. I believe you testified that you read this  
 14 before you signed the purchase agreement; is that  
 15 correct?  
 16 A. Correct.  
 17 Q. Can you turn to the second page of that  
 18 document? Do you see the second paragraph -- the  
 19 second to last paragraph where it says -- it starts  
 20 with the complex?  
 21 A. Yes.  
 22 Q. It says: "The complex is being developed in  
 23 a partnership between the Trump Organization and Tampa  
 24 Bay area developer SimDag-RoBEL, LLC. In addition to  
 25 Simon and Howell, SimDag-RoBEL partners include

1 SimDag-RoBEL as Simon, Howell, Shepperd, Dagostino, and  
 2 Lyons; correct?  
 3 MR. TURKEL: Object to the from.  
 4 BY MS. VALIENTE:  
 5 Q. Correct?  
 6 A. Correct.  
 7 Q. It doesn't mention Mr. Trump or the Trump  
 8 Organization as members of SimDag-RoBEL, correct?  
 9 A. No. It does not.  
 10 Q. In fact, it says that the development is  
 11 backed by SimDag-RoBEL. It doesn't mention Mr. Trump  
 12 or the Trump Organization in that sentence, correct?  
 13 A. Correct.  
 14 MS. VALIENTE: That's all I have.  
 15 MR. TURKEL: He'll read if it's ordered.  
 16 (Said deponent wished to read and sign the  
 17 deposition, and the taking of this deposition was  
 18 concluded at 3:04 p.m.)  
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CERTIFICATE OF OATH

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, Sarah Murrow, the undersigned authority,  
certify that John Robbins personally appeared before me  
on October 8th, at 10:00 a.m. and was duly sworn.

WITNESS my hand and official seal this 11th day of  
October, 2010.

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Sarah J. Murrow  
Notary Public, State of Florida  
Commission No.: 875471  
My Commission Expires:  
3/30/2013

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CERTIFICATE OF COURT REPORTER  
STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

I, Sarah J. Murrow, Court Reporter, certify that I  
was authorized to and did stenographically report the  
deposition of John Robbins; that a review of the  
transcript was requested; and that the transcript,  
pages 1 through 177 is a true and correct record of my  
stenographic notes.

I FURTHER CERTIFY that I am not a relative,  
employee, or attorney, or counsel of the parties, nor  
am I a relative or employee of any of the parties'  
attorneys or counsel connected with the action, nor am  
I financially interested in the action.

DATED this 11th day of October, 2010.

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Sarah J. Murrow